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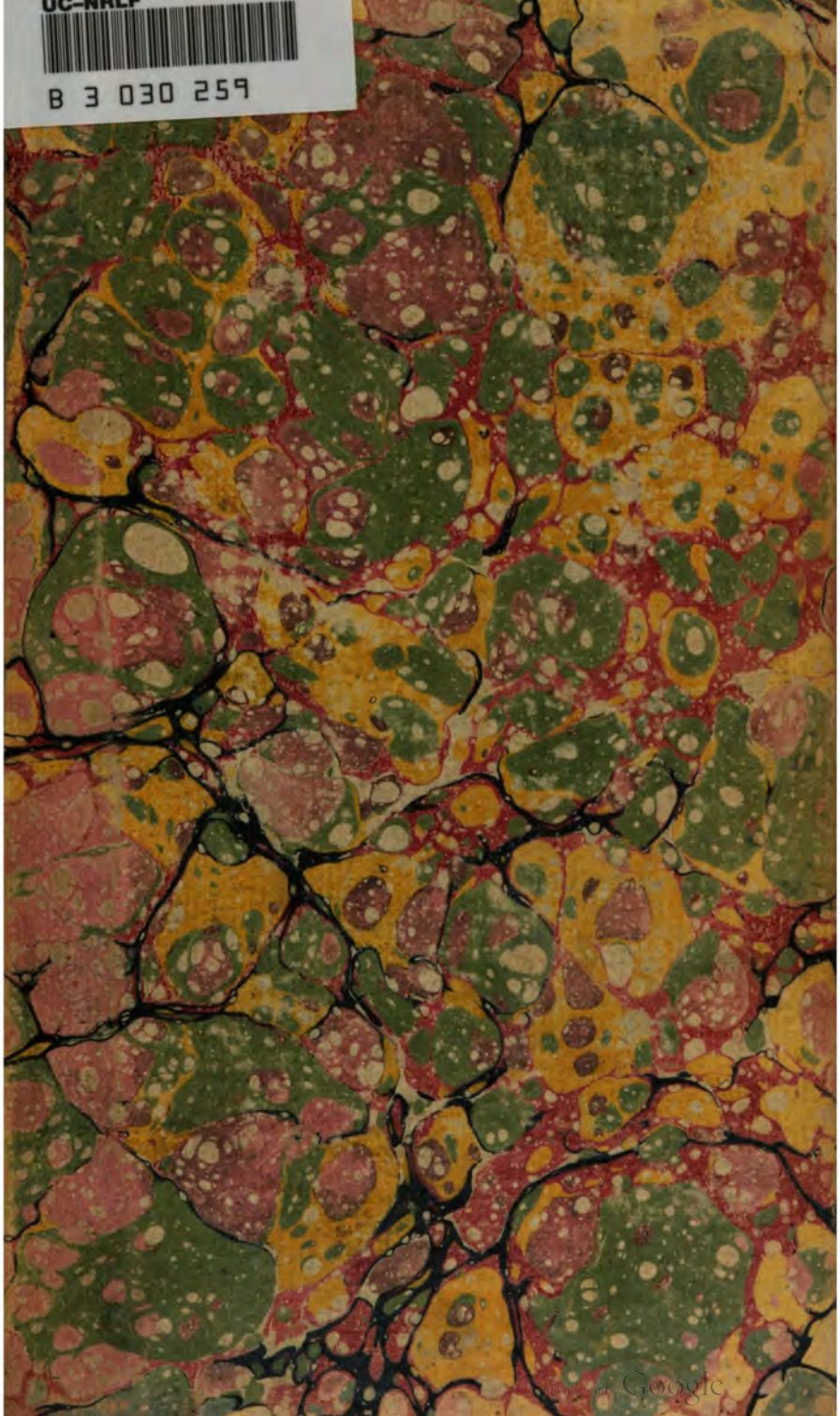
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*Sir Cha. Grave, Hudson, of Wantlip,  
in the County of Leicester, Bar.*







T H E  
R E M E M B R A N C E R ;

UNIV. OF  
CALIFORNIA

O R,

I M P A R T I A L R E P O S I T O R Y

O F

P U B L I C E V E N T S.

For the Year 1778, and Beginning of 1779.

L O N D O N :

Printed for J. ALMON, opposite Burlington-House, Piccadilly.

1779.

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TO THE  
LIBRARY OF CONGRESS

T H E

# REMEMBRANCE.

*Trenton, Sept. 22.*

*Extracts of Letters from Mess. CRUGER (one of the Members for Bristol, in England) and MALLARD to Mr. JOHN PERRY, Merchant, in New-York, which were found on Board the Love and Unity, brought into Toms River.*

*Bristol, March 2, 1778.*

**W**E are already so involved by the unfortunate American war, that in every future plan of business we must see our way quite clear; as prudent and honest men, we are called upon to be cautious and vigilant. Many people now in England fear for the city of New-York, that the Americans will possess it; such an event must have the most ruinous consequences. In short, we have tried to do a little business, and we have sent one or two cargoes to America, principally as speculations on our own accounts. We did not then see things in that serious light they now appear to us.

*Bristol, March 2.* Insurance to America is not lowered since we did the Albion's, but higher. Several vessels gone and going to America pay from fifteen to eighteen guineas per cent. and have notwithstanding a freight given them of four pounds sterling per ton.

*Bristol, March 31.* Things are very bad, and confidences quite done, owing to some failures. Sir James Laroche and Mr. Thomas Franks

both for considerable sums, and their affairs likely to turn out bad as to dividends. The public situation of national concerns have also an effect on general credit. Every merchant is talked of. You will use every effort to hasten your remittances, for obvious reasons.

The declaration of war has not yet taken place. Politicians say, England wants to force France to declare first. An embargo is laid on both sides, and men pressed for the navy from all protections. War seems unavoidable, and yet no period can be fixed for its regular commencement. Spain will join France when we begin there is no doubt.

This information will hasten you to close the sales of all our effects in your hands, with all convenient and necessary speed, for fear of any turn in affairs at New-York or Philadelphia that may render those cities insecure, by giving them new masters once more. Remit all you can, and as soon as you can, is our advice.

*Bristol, May 5.* We shall have very large sums to pay in September, October, November, and December, for

VOL. VII,

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for the Albion's and Neptune's goods; and unless you so manage matters as to remit us to answer those demands, we must be at a stand. Credit and confidence are quite gone; and the Bank of England is so situated as to afford little or no aid to merchants even of the first consequence in London; so that private bankers are driven to extremities almost, and merchants know not which way to turn for money.

*Further particulars respecting the death of Lieutenant BROWN. (See preceding Volume, page 346.) Cambridge, June 18, 1778, 3 o'clock, P. M.*

Sir,

Lieutenant Brown, of the 21st regiment, who was shot yesterday by an American sentinel, died about midnight in the last night.

I am informed some person whom you have sent to examine the body, is now doing it: and, as I suppose, every inspection of that sort will be over by to-morrow, I would propose to bury the corpse to-morrow evening. I am to desire to know if you have any objection, and whether you have any particular intentions relating to the body of the murdered officer. If it is to be allowed Christian burial, I would wish to deposit it in the vault appropriated for strangers in the Protestant church at Cambridge. In this case I am to desire you will give the necessary permission for this purpose, and allow a sufficient number of men from the barracks to assist in carrying down the corpse from the barracks to the church.

As I am totally ignorant to whom it may be necessary to apply for leave to open the church, it obliges me to give you this trouble, and I hope, if permission is granted, that it will be done so fully as will prevent the sanguinary people of this country from insulting and treating with indignity the dead body of the unfortunate

officer, who, in their rage, revengeful temper and barbarity, they have put to death.

I am Sir,

Your most obedient humble servant,  
(Signed) W. PHILLIPS.  
*Major-general Heath.*

*Head-Quarters, Boston, June 19, 1778.*

Sir,

Yours of yesterday afternoon was handed to me the last evening—I most sincerely regret the unfortunate death of Lieutenant Brown.

As I apprehend the coroner has taken his inquisition, or will do it this morning, which is in conformity to the laws of the land in that case made and provided, for the sole purpose of investigating the truth of facts. You not only have my permission, but request that every mark of respect may be paid to the corpse of the deceased; and you have my permission also for such a number of non-commissioned officers or privates to attend, as may be necessary to bear the corpse from the funeral house to the place of interment.

I do not know under whose direction the church at Cambridge now is, but I have given orders to Major Hopkins and the Town-Major to afford every kind of assistance in their power, and to enquire who has the direction, and to obtain permission. I have also given orders that decency be exhibited by our troops during the time of procession and interment, which the solemnity of so mournful an occasion points out as the duty of rational beings; and from the universal respectful behaviour of the people of this country on such occasions, you may be sure that not the least insult will be offered.

I am, Sir,

Your most obedient servant,  
(Signed) W. HEATH,  
*Major-general Phillips.*

*The*



The following is in answer to a letter of Mr. HEATH'S, restricting General Phillips to his house, &c. and demanding a fresh parole.

Cambridge, June 19, 1778.

Sir,

I shall not animadvert upon, or answer any part of your letter of yesterday, except what relates to your meaning to restrict me to my house, garden and yards, and to the direct road from my quarters to the quarters of the troops of the Convention on Prospect and Winter Hills, and requiring my signing a new parole for my propriety of conduct within those limits.

When by the treaty of Convention of Saratoga, the officers were to be admitted on parole, it was clearly intended that a liberal interpretation was to be given of that agreement, and to use your own words, generous limits were to be granted; I will not deny that they have been sufficient.

I apprehend, Sir, that under no sense or explanation of the treaty, the officers were to be denied intercourse with the soldiers—indeed there is an article particularly on that point—and by restricting me to my quarters, allowing me only a passage to the barracks by the direct road, you would certainly have restricted me as you have done several other officers, from whom you have taken the benefit of their parole, allowing for the distinction of my rank, having obtained a quarter instead of a barrack—it appeared therefore a very extraordinary proposal made to me, that I should sign a parole under a restriction which deprived me of any advantage arising from my giving one according to the article on the subject of the treaty of Convention of Saratoga, and on this consideration I refused it.

You have, Sir, made me a prisoner in my quarters, under a guard, and I am perfectly at ease of mind about it—shall bear it, Sir, and any other violences of power which may happen to me, with more patience

than you may suppose—I am very regardless about insults and injuries done me personally—I feel only, and then severely, when any are offered to the troops I command.

But, Sir, you attempt at much more than restricting my person; for in a paper sent me this day, being your instructions to Lieut. Col. Pollard, dated June 18th, 1778, you direct him after he has planted sentinels round my quarters, that he is to “wait on the next senior officer, and acquaint him of Gen. Phillips being confined”—I am to inform you, Sir, that bearing the King's commission, I shall consider myself senior officer of the troops of the Convention—and every officer of them will obey my orders as far as their present situation will allow.—You may confine my person, but cannot have power to take from me my military place, nor my connexion with the Convention troops—it is too extravagant an idea to suppose you capable of so little, can it be in the power of an individual to deprive me of the commission I hold. That were these colonies really acknowledged independent and sovereign states, it would not be in the power of their government to deprive an officer of another nation of his military commission, how far soever they might stretch and extend their power over his person.—But, Sir, I must be allowed to declare, that until the colonies are acknowledged by Great Britain to be independent sovereign states, I cannot view them in any other light than that in which they are considered by Great Britain.

As you will not allow me to send an officer to Sir Henry Clinton, I must request to take advantage of your express for sending my report and representations to him, and I will beg to know when I must send you my letters. I am, Sir,

Your most obedient,  
humble servant,  
W. PHILLIPS,

(Signed)  
Major-general Heath.

*Head-quarters, Boston, June 20, 1778.*

S I R,

Another of your favours of yesterday was handed to me this morning,—you may be assured that the reason of my restricting you to your quarters the day before yesterday was personally no agreeable service.—Duty to the honour and dignity of my country, made it indispensibly necessary. Apprehending that so great a restriction from your former limits as I pointed out might be construed by you a dissolution of your parole, I thought it necessary and also adviseable that you should give a new one. I wished that you might retain your quarters, and at the same time have a free intercourse with the troops who are quartered at a distance from you; this distance is so considerable that a parole is necessary. I acknowledge that by the Convention you are to be admitted on parole, and this parole is for propriety of conduct under such admittance; but that parole being forfeited by misconduct, ceases to be, and confinement in proportion to the offence no breach of the Convention, but fully justifiable upon every principle of reason and justice.

It was never in my idea to take away your commission, or dissolve your connection with the troops of the Convention; but while under confinement your power of acting might with propriety be suspended, so far as respected the transacting of public business between myself and you; but personal regard has prevented my going that length, any farther than to notify the next officer of your confinement.

I do not insist that you as an officer in the British army are obliged to view the free, independent and sovereign states of America in any other light than they are acknowledged by the government whose service you are in. But under your present situation and circumstances, I insist that you shall not openly insult

the honour and dignity of these sovereign states with impunity.

I am, Sir,

your most obedient servant,

(Signed)

W. HEATH, Major-general.

*Major-general Phillips.*

*In Congress, July 7, 1778.*

Resolved unanimously, That the thanks of Congress be given to General Washington for the activity with which he marched from the camp at Valley Forge, in pursuit of the enemy; for his distinguished exertions in forming the order of battle; and for his great good conduct in leading on the attack, and gaining the important victory of Monmouth, over the British grand army, under the immediate command of Lieutenant-general Sir Henry Clinton, in their march from Philadelphia to New-York.

Resolved, That General Washington be directed to signify the thanks of Congress to the gallant officers and men under his command, who distinguished themselves by their conduct and valour at the battle of Monmouth.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*Extract of a letter from Connecticut, dated July 10, 1778.*

“ I send you the General Orders of July 6th, in General Gates’s camp at White Plains.

“ The General congratulates the troops on the important success of the American army, commanded by his Excellency General Washington, on the 28th of June. The enemy had killed on the field 300, many wounded, and more than 100 taken prisoners. Deserters have been more numerous than any former war hath given an example of.”

*Extract of a letter from Boston, July 15.*

“ There has been taken lately by a Salem privateer of twenty tons, a vessel

vessel for Quebec; the amount of the invoice is 30,000l. sterling."

*Boston, July 16, 1778.*

*Copy of a letter from General WASHINGTON to General GATES, dated Camp, White Plains, July 6, 1778.*

"Of our army, 7 officers, 52 rank and file were killed, among whom were Colonel Bonner, of Pennsylvania, Major Dickinson, of Virginia; 17 officers, and 120 rank and file wounded.

59 killed.

137 wounded.

Total 196

"Of the enemy, 248 rank and file were killed and left on the field, and 4 officers.

Wounded — — 1211

Prisoners — — 117

Deserted since they left White Plains } 1512

Total — 2840

Among the slain was Col. Monkton."

*Philadelphia, July 18.*

Yesterday morning the crew of the Mermaid British frigate, lately drove on shore near Cape Henlopen, were brought to this city under guard.

*Extract of a letter from Camp, near White Plains, July 22.*

"Yesterday, and this day, fifteen chasseurs came over to us with their horses and arms. Major Nevill is just now arrived at head-quarters from the Sound, and brings the agreeable news of the capture of 27 sail of British vessels. It is not yet known whether they are transports or armed vessels: doubtless part of both."

*Baltimore, July 28.* The last account from the State of New-York advise, that the grand American army, consisting of thirty-nine thousand men, were encamped on the White Plains, above sixteen miles from Kingbridge.

*Extract of a Message from Monsieur GERARD to Congress.*

His Excellency the Count d'Es-

taing, Vice-admiral of France, commanding the King's squadron, is desirous of enabling all the armaments, either public or private, in the United States of North-America, to derive any possible advantage from the operations of this squadron, in order to make prizes of the common enemy; the underwritten has the honour to inform Congress, that all such armaments shall enjoy the most extensive protections from his Most Christian Majesty's squadron, and that the prizes they may take shall belong to them only, without any division. The masters of American vessels, who apply to his Excellency the Vice-admiral, will receive the necessary signals.

(Signed)

GERARD.

Published by order of Congress,

CHARLES THOMSON, Sec.

*Account of the Ceremony observed at the first audience given to Monsieur GERARD, Minister Plenipotentiary from the French King to the United States of America by their general Congress; a copy and translation of the French King's letter to them, his Minister's speech in Congress, with their reply by the President.*

*Philadelphia, August 21.*

Last Thursday being the day appointed by Congress for the audience of the Sieur Gerard, Minister Plenipotentiary from his Most Christian Majesty, that Minister received audience accordingly. In pursuance of the ceremonial established by Congress, the Hon. Richard Henry Lee, Esq. one of the delegates from Virginia, and the Hon. Samuel Adams, Esq. one of the delegates from Massachusetts-bay, in a coach and six, provided by Congress, waited upon the Minister at his house. In a few minutes the Minister and the two delegates entered the coach, Mr. Lee placing himself at the Minister's left hand on the back seat, Mr. Adams occupying the front seat; the Minister's

Minister's chariot being behind, received his Secretary. The carriages being arrived at the State-house in this city, the two members of Congress, placing themselves at the Minister's left hand, a little before one o'clock, introduced him to his chair in the Congress-chamber, the President and Congress sitting—the Minister being seated, he gave his credentials into the hand of his Secretary, who advanced and delivered them to the President. The Secretary of Congress then read and translated them; which being done, Mr. Lee announced the Minister to the President and Congress, at this time, President, the Congress, and the Minister rose together: he bowed to the President and the Congress; they bowed to him; whereupon the whole seated themselves. In a moment, the Minister rose and made a speech to Congress, they sitting. The speech being finished, the Minister sat down, and giving a copy of his speech to his Secretary, he presented it to the President. The President and the Congress then rose, and the President pronounced their answer to the speech; the Minister standing. The answer being ended, the whole were again seated, and the President giving a copy of the answer to the Secretary of Congress, he presented it to the Minister. The President, the Congress, and Minister, then again rose together; the Minister bowed to the President, who returned the salute, and then to the Congress, who also bowed in return; and the Minister having bowed to the President and received his bow, he withdrew, and was attended home in the same manner in which he had been conducted to the audience.

Within the bar of the house, the Congress formed a semi-circle on each side of the President and the Minister: the President sitting at one extremity of the circle, at a table upon a platform elevated two steps,

the Minister sitting at the opposite extremity of the circle in an arm chair upon the same level with the Congress. The door of the Congress-chamber being thrown open below the bar, about 200 gentlemen were admitted to the audience, among whom were the Vice-president of the Supreme Executive Council of Pennsylvania, the Supreme Executive Council, the Speaker, and members of the House of Assembly, several foreigners of distinction, and officers of the army.

Thus has a new and noble sight been exhibited in this new world—the representatives of the United States of America, solemnly giving public audience to a Minister Plenipotentiary from the most powerful Prince in Europe. Four years ago such an event, at so near a day, was not in the view even of imagination: but it is the Almighty who raiseth up; he hath stationed America among the powers of the earth, and clothed her in robes of Sovereignty.

The audience being over, the Congress and the Minister, at a proper hour, repaired to an entertainment by Congress given to the Minister; at which were present by invitation, several foreigners of distinction, and gentlemen of public character. The entertainment was conducted with a decorum suited to the occasion; and gave perfect satisfaction to the whole company.

*In Congress, August 6, 1778.*

According to order the Honourable the Sieur Gerard being introduced to an audience by the two members for that purpose appointed, and being seated in his chair, his Secretary delivered to the President a letter from his Most Christian Majesty, which was read in the words following:

“Very dear great friends and allies,  
“The treaties which we have signed with you, in consequence of the proposals

propofals your Commissioners made to us in your behalf, are a certain affurance of our affection for the United States in general and for each of them in particular, as well as of the intereft we take, and constantly shall take, in their happinefs and profperity. It is to convince you more particularly of this, that we have nominated the Sieur Gerard, Secretary of our Council of State, to refide among you in the quality of our Minister Plenipotentiary; he is the better acquainted with our sentiments toward you, and the more capable of testifying the fame to you, as he was entrusted on our part to negotiate with your Commissioners, and figned with them the treaties which cement our union. We pray you to give full credit to all he shall communicate to you from us, more especially when he shall assure you of our affection and constant friendship for you. We pray God, very dear great friends and allies, to have you in his holy keeping.

Your good friend and ally,

(Signed)

LOUIS,

*Versailles, March 28, 1778.*

(Under-figned)

GRAVIER DE VERGENNES.

(Directed)

*To our very dear great friends the President and Members of the General Congress of North-America.*

The Minister was then announced to the President and the Houfe, whereupon he arofe and addreffed Congress in the fpeech, which, when he had finifhed, his Secretary delivered the fame in writing to the President, as follows:

“ Gentlemen,

“ The connection formed by the King, my mafter, with the United States of America, is fo agreeable to him, that he could no longer delay fending me to refide among you for the purpofe of cementing it. It will give his Majesty great fatisfaction to

learn that the sentiments which have fhone forth on this occafion, juftify that confidence with which he hath been infpired by the zeal and character of the Commissioners of the United States in France, the wifdom and fortitude which have directed the refolutions of Congress, and the courage and perfeverance of the people they represent; a confidence which you know, gentlemen, has been the basis of that truly amicable and dif-interested fystem, on which he hath treated with the United States.

“ It is not his Majesty’s fault that the engagements he hath entered into did not eftablifh your independence and refofe without the further effufion of blood, and without aggravating the calamities of mankind, whofe happinefs it is his higheft ambition to promote and fecure. But fince the hostile meafures and defigns of the common enemy have given to engagements purely eventual, an immediate, pofitive, permanent and indifoluble force, it is the opinion of the King my mafter, that the allies fould turn their whole attention to fulfill thofe engagements in the manner moft ufe-ful to the common caufe, and beft calculated to obtain that peace which is the object of the alliance.

“ It is upon this principle his Majesty hath haftened to fend you a powerful affiftance, which you owe only to his friendship, to the fincere regard he has for every thing which relates to the advantage of the United States, and to his defire of contributing with efficacy to eftablifh your refofe and profperity upon an honourable and folid foundation. And further it is his expectation that the principles which may be adopted by the refpective Governments, will tend to ftrengthen thofe bonds of union, which have originated in the mutual intereft of the two nations.

“ The principle object of inftructions is to connect the interefts of France with thofe of the United States.



States. I flatter myself, gentlemen, that my past conduct in the affairs, which concern them, hath already convinced you of the determination I feel to endeavour to obey my instructions in such manner as to deserve the confidence of Congress, the friendship of its members, and the esteem of the citizens of America.

GERARD."

To which the President was pleased to return the following answer ;

" Sir,

" The treaties between his Most Christian Majesty and the United States of America, so fully demonstrate his wisdom and magnanimity as to command the reverence of all nations. The virtuous citizens of America in particular, can never forget his beneficent attention to their violated rights ; nor cease to acknowledge the hand of a gracious Providence in raising them up so powerful and illustrious a friend. It is the hope and opinion of Congress, that the confidence his Majesty reposes in the firmness of these States, will receive additional strength from every day's experience.

" This Assembly are convinced, Sir, that had it rested solely with the Most Christian King, not only the independence of these States would have been universally acknowledged, but their tranquility fully established. We lament that lust of domination, which gave birth to the present war, and hath prolonged and extended the miseries of mankind. We ardently wish to sheath the sword and spare the farther effusion of blood ; but we are determined, by every means in our power, to fulfill those eventual engagements which have acquired positive and permanent force from the hostile designs and measures of the common enemy.

" Congress have reason to believe, that the assistance so wisely and generously sent, will bring Great Britain to a sense of justice and moderation,

promote the common interests of France and America, and secure peace and tranquility on the most firm and honourable foundation. Neither can it be doubted that those, who administer the powers of Government within the several States of this union, will cement that connection with the subjects of France, the beneficial effects of which have already been so sensibly felt.

Sir, from the experience we have had of your exertions to promote the true interests of our country, as well as your own, it is with the highest satisfaction Congress receive, as the first Minister from his Most Christian Majesty, a gentleman, whose past conduct affords a happy presage, that he will merit the confidence of this body, the friendship of its members, and the esteem of the citizens of America.

In Congress,

HENRY LAURENS, President,

August 6, 1778.

The Secretary of Congress then delivered to the Minister a copy of the foregoing reply, signed as above ; whereupon the Minister withdrew, and was conducted home in the manner in which he was brought to the House.

Extract from the Minutes,

CHARLES THOMSON, Sec.

In Congress, July 9, 1778.

Ordered, That all letters received by members of Congress, or their agents, or from any subject of the King of Great Britain, of a public nature, be laid before Congress.

Extract from the Minutes,

CHARLES THOMSON, Sec.

In consequence of the foregoing order, the following letters were laid before Congress :

To FRANCIS DANA, Esq. (Private.)

" Dear Sir,

" It gives me great pleasure to find your name among the list of Congress, because I am persuaded, from personal knowledge of me, and

my

my family and connections, you can entertain no jealousy that I would engage in the execution of any commission that was inimicable to the rights and privileges of America, or the general liberties of mankind; while, on the other hand, your character must be so well known, that no man will suspect you will yield any point that is contrary to the real interest of your country; and therefore it will be presumed we will loose no opportunity, from false punctilio, of meeting to discuss our differences fairly, and that, if we do agree, it will be on the most liberal, and therefore the most lasting terms of union. There are three facts I wish to assure you of. First, That Dr. Franklin, on the 28th of March last, in discussing the several articles we wish to make the basis of our treaty, was perfectly satisfied they were beneficial to North America, and such as she should accept. Second, That this treaty with France was not the first treaty that France had *exacted*, and with which Mr. Simeon Deane had put to sea, but granted and acceded to after the sentiments of the people of Great Britain had fully changed, after the friends to America had gained their points for reconciliation, and solely with a view to disappoint the good effects of our endeavours. You will be pleased to hear the pamphlet wrote by Mr. Pulteney was a great means of opening the minds of the people of England to the real state of the question between us, and that it has run through thirteen editions. The third fact is, That Spain, unasked, had sent a formal message, disapproving of the conduct of France. All these I will engage to prove to your satisfaction. I beg to recommend to your personal civilities, my friend, Dr. Ferguson. He is a man of the greatest genius and virtue, and has always been a steady friend to America. Private . . . . .

“ If you follow the example of Britain in the hour of her privilege, insolence, and madness, and refuse to hear us, I still expect, since I am here, to have the privilege of coming among you, and seeing the country, as there are many men, whose virtues I admire above Greek and Roman names, that should be glad to tell my children about. I am, with esteem and affection, dear Sir,

Your friend and servant,

Geo. JOHNSTONE.”

*Philadelphia, June 10, 1778.*

A true copy, compared with the original. Examined in Congress, July 16th, 1778.

CHARLES THOMSON, Sec.

To General JOSEPH REED:

“ Sir,

“ Your near and worthy relation, Mr. Dennis de Berdt, has made me happy by favouring me with a letter to you. I have been informed by General Robertson of your great worth and consequence in the unhappy disputes that have subsisted between Great Britain and her descendants. Your pen and your sword have both been used with glory and advantage in vindicating the rights of mankind, and of that community of which you was a part. Such a conduct as the first, and superior of all human duties, must ever command my warmest friendship and veneration.

In the midst of those affecting scenes, my feeble voice has not been wanting to stop the evils in their progress, and to remove on a large and liberal footing the cause of all jealousy;—that every subject of the empire might live equally free and secure in the enjoyment of the blessings of life;—not one part dependent on the will of another with opposite interests, but a general union on terms

of perfect security, and mutual advantage.

“ During the contest, I am free to confess, my wishes have ever been that America might so far prevail as to oblige this country to see their error, and to reflect and reason fairly in the case of others, heirs to the same privileges with themselves. It has pleased God in his justice so to dispose of events, that this kingdom is at length convinced of her folly and her faults. A commission under parliamentary authority is now issued for settling in a manner consistent with that union of force on which the safety of both parties depend, all the differences that have or can subsist between Great Britain and America, short of a total separation of interests. In this commission I am an unworthy associate, though no man can feel the desire of cementing in peace and friendship, every member of what was called the British Empire stronger than myself; yet I am sensible that it might have fallen to the lot of many persons better qualified to attain the end proposed. All I can claim is ardent zeal, and upright intentions; and when I reflect that this negotiation must depend much more upon perfect integrity than refinement of understanding, where a sensible, magnanimous people will see their own interest, and carefully guard their honour in every transaction; and I am more inclined to hope from the good will I have always borne them, I am not altogether unqualified for the task.

“ If it be (as I hope it is) the disposition of good men in the province to prefer freedom, in conjunction with Great Britain, to an union with the ancient enemy of both; if it is their generous inclination to forget recent injuries, and recall to their remembrances former benefits, I am in hopes we may yet be great and happy. I am sure the people in Ame-

rica will find in my brother Commissioners, and myself, a fair and cheerful concurrence in adjusting every point to their utmost wish, not inconsistent, as I said before, with a beneficial union of interests, which is the object of our commission.

“ Nothing could surpass the glory you have acquired in arms, except the generous magnanimity of meeting on the terms of justice and equality, after demonstrating to the world that the fear of force could have no just influence in that decision.

“ The man who can be instrumental in bringing us all to act once more in harmony, and unite together the various powers which this contest has drawn forth, will deserve more from the King, and people, from patriotism, humanity, friendship, and all the tender ties that are affected by the quarrel and reconciliation, than ever was yet bestowed on human kind.

This letter from Mr. de Berdt I shall consider as an introduction to you, which line of communication I shall endeavour by every means to improve, by public demonstrations of respect or private friendship, as your answer may enable me.

I am, with great respect, Sir,

Your most obedient,  
and most humble servant,

GEO. JOHNSTONE.”

*London, April 11, 1778.*

To ROBERT MORRIS, Esq.

(Private.)

*Philadelphia, June 16, 1778.*

“ Dear Sir,

“ I came to this country in a sincere belief that a reconciliation between Great Britain and America could be established on terms honourable, and beneficial to both. I am persuaded, and can prove, that the last treaty with France should be no bar, and the first treaty, if ever you saw it, should be an inducement.

“ Supposing

“ Supposing every obstacle to prevent us from treating removed, we are then to consider whether the terms proposed are advantageous. I inclose you my sentiments on the subject at large; if they concur with yours, we shall join in the work with all the prudence, and all the means possible, and virtuous. I believe the men who have conducted the affairs of America incapable of being influenced by improper motives. But in all such transactions there is risk, and I think that whoever ventures should be secured, at the same time that honour and emolument should naturally follow the fortune of those who have steered the vessel in the storm, and brought her safely to port. I think that Washington and the President have a right to every favour that grateful nations can bestow, if they could once more unite our interests, and spare the miseries and devastations of war. I wish above all things to see you, and hope you will so contrive it. Do not think Great Britain is so low; remember she never can be lower than you were at Trenton. It is the same blunders who produced the war who have conducted it. When the sense of the nation is roused, believe me she can make struggles that few have conceived, but which I should be sorry to see exerted on such an occasion.

“ Whatever may be our fate, I shall ever retain the strictest private friendship for you and yours; but let me entreat you to recall all those endearing ties to your recollection.

I am, with affection and esteem,

Dear Sir,

Your obedient servant,

GEORGE JOHNSTONE.”

Published by order of Congress,

CHARLES THOMSON, Sec.

In Congress, July 12, 1778.

A letter signed CARLISLE, H. CLINTON, WILLIAM EDEN, and GEORGE JOHNSTONE, dated New-York, July 11, 1778, and directed To His Excellency HENRY LAURENS, the President, and other the Members of Congress, was received and read, whereupon Congress came to the following Resolution:

Whereas Congress, in a letter to the British Commissioners of the 17th of June last, did declare, that they would be ready to enter upon the consideration of a treaty of peace and commerce, not inconsistent with treaties already subsisting, when the King of Great Britain should demonstrate a sincere disposition for that purpose; and that the only solid proof of this disposition, would be an explicit acknowledgment of the independence of these States, or withdrawing his fleets and armies; and whereas, neither of these alternatives have been complied with, therefore

Resolved, That no answer be given to the letter of the 11th instant from the British Commissioners.

Ordered, That the said letter, and foregoing resolution, be published.

Extract from the Minutes,

CHARLES THOMSON, Sec.

The letter from the British Commissioners is as follows:—

To his Excellency HENRY LAURENS, the President, and other Members of Congress.

Gentlemen,

We received soon after our arrival at this place, your answer to our letter of the 12th of June, and are sorry to find, on your part, any difficulties raised, which must prolong the calamities of the present war. You propose to us, as matter of choice, one or other of two alternatives, which you state as preliminaries necessary, even to the beginning of a negotiation for peace to this empire. One is, an explicit acknowledgment of the In-

*dependence of these States.* We are not inclined to dispute with you about the meaning of words; but so far as you mean the *entire privilege* of the people of North America to *dispose of their property, and to govern themselves without any reference to Great Britain,* beyond what is necessary to preserve that union of force, in which our mutual safety and advantage consist, we think that so far, then, *independency is fully acknowledged* in the terms of our letter of the 10th of June; and we are willing to enter upon a fair discussion with you, of all the circumstances that may be necessary to ensure, or even to enlarge that independency. In the other alternative you propose, that his Majesty should withdraw his fleets and armies. Although we have no doubt of his Majesty's disposition to remove every subject of uneasiness from the Colonies, yet there are circumstances of precaution against our ancient enemies, which, joined to the regard that must be paid to the safety of many, who from affection to Great Britain, have exposed themselves to suffer in this contest, and to whom Great Britain owes support at every expence of blood and treasure, that will not allow us to begin with this measure. How soon it may follow the first advances to peace, on your part, will depend on the favourable prospect you give of a reconciliation with your fellow citizens of this Continent, and with those in Britain.

In the mean time we assure you, that no circumstance will give us more satisfaction, than to find that the extent of our future connection is to be determined on principles of mere reason, and considerations of mutual interest, on which we are willing likewise to rest the permanence of any arrangements we may form. In making these declarations, we do not wait for the decision of any military events. Having determined our judgments by what we believe to be the interests of our country, we

shall abide by the declarations we now make in every possible situation of affairs. You refer to treaties already subsisting, but are pleased to withhold from us any particular information in respect to their nature or tendency. If they are in any degree to affect our deliberations, we think that you cannot refuse a full communication of the particulars on which they consist, both for our consideration, and that of your own constituents, who are to judge between us, whether any alliance you may have contracted, be a sufficient reason for continuing this unnatural war.

We likewise think ourselves entitled to a full communication of the powers by which you conceive yourselves authorized to make treaties with foreign nations. And as we are led to ask satisfaction to this point, because we have observed in your proposal articles of confederation, numbers six and nine, it is stated, that you should have the power of entering into treaties and alliances, under certain restrictions therein specified; yet we do not find promulgated any act or resolution of the assemblies of particular states, conferring this power on you. As we have communicated our powers to you, we mean to proceed without reserve in this business; we will not suppose that any objection can arise on your part, to our communicating to the public so much of your correspondence as may be necessary to explain our own proceedings; the respect which we pay to the great body of people you are supposed to represent, shall be evidenced by us in every possible mark of consideration and regard. We are, with perfect respect,  
Gentlemen, your most obedient,  
and most humble servants,

CARLISLE, WIEL EDEN,  
H. CLINTON, GEO. JOHNSTONE,  
*New-York, July 13, 1778.*

Published by order of Congress,  
CHARLES THOMSON, Sec.

*New-*



*New-York, August 7th, 1778.*

Sir,

I have the honour to transmit to you by order of their Excellencies his Majesty's Commissioners, the inclosed paper containing a remonstrance addressed to the Congress on the subject of the detention of the troops lately serving under Lieutenant-general Burgoyne, with a requisition for their immediate release. To which I make no doubt that you will pay the attention due to matters of such high concern, and have the honour to be with the greatest respect,

Sir,

Your most obedient,  
and most humble servant,

ADAM FERGUSON.

*To his Excellency Henry Laurens, Esq.  
President of the Congress.*

By the Earl of Carlisle, Sir Henry Clinton, William Eden, Esq. and George Johnstone, Esq. his Majesty's Commissioners appointed with sufficient powers to treat, consult, and agree upon the means of quieting disorders now subsisting in certain colonies, plantations and provinces of North America.

Upon a representation from the Commander in Chief of his Majesty's forces, that the troops lately serving under Lieutenant-general Burgoyne, notwithstanding the solemn Convention entered into at Saratoga, in which it is stipulated, That the said troops should have a free passage to Great Britain; are nevertheless under various pretences still detained in New-England: the following remonstrance against the unjust detention of those troops, and requisition for their immediate release, on the condition annexed to the article by which their passage to England is stipulated, are now solemnly made to the American Congress.

Whereas the means that have been devised by mankind to mitigate the horrors of war, and to facilitate the

re-establishment of peace, depend on the faith of cartels, military capitulations, conventions and treaties entered into even during the continuance of hostilities. From whence all nations have agreed to observe such Conventions, as they revere the sacred obligations of humanity and justice, and as they would avoid the horrid practice of retaliations, which, however justly due to the guilty, in such cases, but too frequently fall on the innocent.

And whereas upon these considerations, all breach of faith even with an enemy, and all attempts to elude the force of military Conventions, or to defeat their salutary purposes by evasion or chicanery, are justly held in detestation, and deemed unworthy of any description of persons assuming the character of, or stating themselves as the representatives of nations:

And whereas it was stipulated in the second article of the convention entered into at Saratoga between Lieutenant-general Burgoyne, and Major-general Gates, "That a free passage be granted to the army under Lieutenant-general Burgoyne to Great Britain, upon condition of not serving again in North-America, during the present contest; and the port of Boston is assigned for the entry of transports whenever General Howe shall so order."

His Majesty's Commissioners now founding their claim on this article, join with the Commander in Chief of his Majesty's forces, in a peremptory requisition, That free entrance into the harbour of Boston be given to transports for the immediate embarkation of the said troops, and that they be allowed to depart for Great Britain in terms of the said Convention. And the said Commissioners, in order to remove every supposed difficulty or pretence for delay in the execution of this treaty, arising from any past, real, apparent, or supposed infraction of it by word or writing,

on

on the side of either party, hereby offer to renew, on the part of Great Britain, all the stipulations of the said Convention, and particularly to ratify the condition annexed to the second article thereof above recited, by which those troops are not to serve again in North-America, during the present contest.

And this requisition, dated at New-York, on the 7th of August, 1778, is now sent to the American Congress, for their direct and explicit answer.

CARLISLE, H. CLINTON,  
WM. EDEN, GEO. JOHNSTONE.  
*To his Excellency Henry Laurens, Esq. the President, and others the Members of the Congress, met at Philadelphia.*

While his Majesty's Commissioners expected an answer to the above requisition, they received, on the 18th instant the following papers transmitted by order of the Congress, and have thought proper to send the answers subjoined.

*In Congress, August 12th, 1778.*

Resolved,

That a copy of the declaration passed yesterday be signed by Mr. President, and sent by a flag to the Commissioners of the King of Great Britain, at New-York.

Extract from the Minutes,

(Certified)

HENRY LAURENS, President.

D E C L A R A T I O N.

Whereas George Johnstone, Esq. one of the British Commissioners for restoring peace in America, on the 11th of April last, did write and send a letter to Joseph Reed, Esq. a member of Congress, containing this paragraph, viz. "The man who can be instrumental in bringing us all to act once more in harmony, and to unite together the various powers which this contest has drawn forth, will deserve more from the King and the people, from patriotism, huma-

nity, and all the tender ties that are affected by the quarrel and reconciliation, than ever was yet bestowed on human kind."—And whereas the said George Johnstone, Esq. on the 16th day of June last, wrote and sent a letter to Robert Morris, Esq. another member of Congress, containing this paragraph, viz.—"I believe the men who have conducted the affairs of America incapable of being influenced by improper motives; but in all such transactions there is risk, and I think that whoever ventures should be secured, at the same time that honour and emolument should naturally follow the fortune of those who have steered the vessel in the storm, and brought her safely into port. I think Washington and the President have a right to every favour that grateful nations can bestow, if they could once more unite our interests, and spare the miseries and devastations of war." Which letters were laid before Congress.—And whereas the said Joseph Reed, Esq. hath in his place in Congress declared, that "on Sunday the 21st of June last, a few days after the evacuation of the city of Philadelphia by the British troops, he received a written message from a married lady of character, having connexions with the British army, expressing a desire to see him on business which could not be committed to writing: that, attending the lady agreeable to her appointment in the evening, after some previous conversation respecting her connexions, the business and characters of the British Commissioners, and particularly of Governor Johnstone, (meaning the said George Johnstone, Esq.) were the subject of general conversation, which being more confined, the lady enlarged upon the great talents and amiable qualities of that gentleman, and added, that in several conversations with her, he (Governor Johnstone) had expressed the most favourable senti-

ments

ments of him (Mr. Reed) and that it was particularly wished to engage his (Mr. Reed's) interest to promote the object of their commission, viz. a re-union between the two countries, if consistent with his principles and judgment; and that in such case it could not be deemed unbecoming or improper in Government (meaning the British, to take a favourable notice of such conduct; and that in this instance he (Mr. Reed) might have ten thousand pounds sterling, and any office in the Colonies, (meaning these United States) in his Majesty's gift, (meaning in the gift of his Britannic Majesty). To which, finding an answer was expected, he (Mr. Reed) replied, "he was not worth purchasing, but such as he was, the King of Great Britain was not rich enough to do it."—And whereas the said paragraphs, written and sent as aforesaid by George Johnstone, Esq. and the said declaration made by Joseph Reed, Esq. call loudly on Congress to express their sense upon them: therefore

Resolved, That the contents of the said paragraphs, and the particulars in the said declaration, in the opinion of Congress, cannot but be considered as direct attempts to corrupt and bribe the Congress of the United States of America.

Resolved, that as Congress feel, so they ought to demonstrate the highest and most pointed indignation against such daring and atrocious attempts to corrupt their integrity.

Resolved, That it is incompatible with the honour of Congress to hold any manner of correspondence or intercourse with the said George Johnstone, Esq; especially to negotiate with him upon affairs, in which the cause of liberty and virtue is interested; and, for the propriety of such conduct, we make and publish to the world this our declaration.

Done in Congress at Philadelphia,

this 11th of August, in the year of our Lord 1778, and in the third year of the Independence of America.

By order of Congress,

HENRY LAURENS, President.

*New-York, August 26, 1778.*

His Majesty's Commissioners direct Dr. Ferguson to transmit to the President of the American Congress, for the information of the Congress, the declaration of this day by George Johnstone, Esq; and the declaration of the same date by the Earl of Carlisle, Sir Henry Clinton, and William Eden, Esq. and also the requisition respecting the troops lately serving under Lieutenant-general Burgoyne, signed by the Earl of Carlisle, Sir Henry Clinton, and William Eden, Esquire.

ADAM FERGUSON,

*Secretary to his Majesty's Commission.*

*New-York, August 26, 1778.*

George Johnstone, one of the Commissioners appointed by his Majesty to carry into execution the gracious purposes of his Majesty and his Parliament for quieting the disorders now subsisting in North America, and for maintaining the people of these provinces in the clear and perfect enjoyment of their liberties and rights, having seen a declaration of the American Congress, signed by Henry Laurens their President, dated the 11th of August, to which, for certain assumed reasons therein specified, is subjoined the following resolution:

"That it is incompatible with the honour of Congress to hold any manner of correspondence or intercourse with the said George Johnstone, Esq; especially to negotiate with him upon affairs, in which the cause of liberty and virtue is interested."

The said George Johnstone, for himself says, That he is far from considering the said resolution of the Congress as offensive to him, that he rather receives it as a mark of distinction to which he is by no means entitled

entitled, either by his exertions in the cause in which he is employed, or by his abilities for improving any future circumstances that may occur towards fulfilling the purposes of the commission under which he is appointed :

That he shall be happy to find, when this exception as to him shall be removed, that the Congress are inclined to retract their former declaration, and to negotiate with others upon terms equally conducive to the happiness of both countries, at the same time he is inclined to believe, that the said resolution of Congress has been issued upon similar motives with those resolutions respecting the cartouch boxes of General Burgoyne's army, and calculated as an excuse to a deluded people for not sending an explicit answer to a plain requisition, that was made to the Congress from his Majesty's Commissioners, with regard to the unfortunate soldiers who are detained at Boston, under every indignity, contrary to the public faith of a solemn Convention signed at Saratoga, and also to serve as a pretext to the unhappy constituents of the Congress, who are suffering under the various calamities of war, for disappointing the good effects of the commission which the real friends of America had so long requested by the most solemn petitions, resolutions, and public declarations, and which so many of the inhabitants of this continent now desire to see carried into full effect.

As the great purpose Mr. Johnstone had in view in coming to North America, was to promote a reconciliation between Great Britain and her colonies, with a full determination to do nothing that could have a tendency to prevent it, in order therefore to defeat the purposes intended by this resolution of Congress, the subscriber George Johnstone, thinks proper to decline acting as a Commissioner, or otherwise interfering,

in any message, answer, agreement, negotiation, matter, or thing, that may regard the said Congress, which he does with so much the more pleasure, as he is perfectly satisfied the business will be left in more able and sufficient hands, reserving to himself the liberty, if he should judge proper, of publishing before he leaves North America, a justification of his conduct, against the aspersions thrown on his character.

When the Congress were contending for essential privileges necessary to the preservation of their liberty, under solemn declarations, that their resistance was calculated merely to obtain redress upon these points; Mr. Johnstone should have been sorry to have incurred their censure, though unheard in his defence, and upon a chain of evidence so toally inconclusive as to him.

At present when the Congress can remain deaf to the cries of so many of their fellow subjects, who are suffering by the miseries of war, and from motives of private ambition can so far sully the principles upon which their first resistance was made, as to bow to a French Ambassador, and league with the ancient enemy of both our countries, from whose hostile designs Great Britain has so often rescued the inhabitants of North America, and this for the avowed purpose of reducing the power of the Parent State, after all their just claims are gratified, and thereby injuring their nearest and dearest friends and relations, forgetting all the principles of virtue and liberty that ought to regulate the conduct of men in society: Mr. Johnstone is not anxious about the good opinion of such a body, notwithstanding the regard he shall always bear to many of the individuals who compose it, from a just allowance to be made for men acting under the heats incident to civil commotions, and from a certain knowledge they did entertain, and

and a persuasion that they do now entertain different sentiments.

With respect to the people of America at large, the subscriber sincerely wishes to avoid every subject of offence which designing men may possibly intend to create, by exciting angry passions in return to personal provocations, and thereby defeat any effects of good will towards Mr. Johnstone, which the remembrance of former good offices he has rendered them might occasion.

(Signed)

GEORGE JOHNSTONE.

(Copy.)

#### DECLARATION.

Whereas the Earl of Carlisle, Sir Henry Clinton, Knight of the Bath, and William Eden, Esq. three of his Majesty's Commissioners, appointed with sufficient powers to treat, consult and agree upon the means of quieting disorders now subsisting in certain of the colonies, plantations and provinces of North America, have received a Declaration of the American Congress, dated the 11th inst. which relates to a gentleman with whom they have the honour to be joined in Commission, and is meant to affect him as a Commissioner; they thereby think proper, on their part, solemnly to declare, that they had not any knowledge, directly or indirectly, of the letter and conversation alluded to in the said Declaration, until they saw them made public in the news-papers. At the same time they do not mean either to imply an assent to the construction put on private correspondence, which the Congress have thought proper to publish, or to intimate a belief that any person could have been authorized to hold the conversation to which the said Declaration of the Congress alludes—nor do they on the other hand mean to enter into an explanation of the conduct of a gentleman, whose abilities and integrity require no vindication from

them. But they think proper, in justice to that gentleman, as well as to themselves and to the Commission with which they are charged, to say, that in the many conversations which he has had with them upon the measures adopted to restore the peace of those colonies, the principle of all his reasonings seemed to be, that the offers of Great Britain were obviously adapted to promote and establish the liberties, peace, opulence, increase, security and permanent happiness of the inhabitants of this continent, and that those blessings in an equal degree were not to be expected from any other connection or mode of government whatever. When therefore the King's Commissioners transmitted to the Congress the acts of Parliament, to exempt the colonies for ever from British taxation, and to secure their charter and established governments; and when they added that they were authorized and desirous to restore peace, to revive free intercourse and mutual affection, to preserve the value and promote the credit of the paper circulation, to give satisfaction and security for ever on the subject of the military establishments, and to extend every freedom to trade; they felt that they were enabled to stipulate, and had offered not only every thing that is or can be proposed by the French alliance, but also many advantages to this continent which can never by any possibility be derived from that unnatural connection.

And they remain astonished at the calamities in which the unhappy people of these colonies continue to be involved from the blind deference which their leaders profess towards a power that has ever shewn itself an enemy to all civil and religious liberty, and whose offers his Majesty's Commissioners must repeat, whatever may be the pretended date and present form of them, were made only in consequence of the plan of

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accommodation previously concerted in Great Britain, and with a view to prevent the reconciliation proposed, and to prolong this destructive war.

This assertion is made on the credit of the following facts :

It is well known to this whole continent, that public intimation of the conciliatory propositions on the part of Great Britain was given to the British Parliament, and consequently to the whole world in the month of November last, and the reasons for delaying those propositions till after the recess for the holidays, were at the same time given to the House of Commons.

It is equally well known, that the preliminaries of a French treaty, with which Mr. Simeon Deane first went to sea in the frigate called *La Belle Poule*, did not bear date earlier than the 16th of December.

It cannot be a secret to the Congress, that those preliminaries led to a treaty of commerce only, and were transmitted to America in that inconclusive form, because the concessions made by France on the one hand were so unsatisfactory, and the conditions required of America on the other so exceptionable, that the Commissioners of the Congress did not think proper to proceed until they should be specially authorized.

Mr. Simeon Deane, after having been some weeks at sea, was obliged to put back into one of the French ports, and return to Paris: in the mean time the Parliament had met again on the 20th of January, and the propositions to be made, though not formally stated till the 17th of February, were occasionally during the whole interval a subject of discussion in all the preparatory debates upon the state of the nation. It was, during this interval, and not before, that France, being informed of the liberal and extensive nature of the intended offers, thought it expedient, for the purpose of prolonging the

war and making these colonies the instruments of her ambition, to new model and enlarge her proposals.

Still, however, the full powers are not pretended to have been given to *Monf. Gerard* before the 30th of January; and whatever time the treaties thus notoriously flowing from the generous measures of Great Britain may have been, dated by the French Ministers, either in fact or by collusion, for the purpose of giving an uncandid interpretation to the proceedings of the British Parliament; whatever too may have been the dates of the dispatches which accompanied those treaties, it is well known that neither treaties, nor letters notifying treaties, were sent from France before the 8th of March.

When these particulars, together with all the other circumstances attending the conduct of the French Court towards these colonies during the years 1775, 1776, and 1777, most of which must be well known to the American Congress, are duly considered, the designs of France, the ungenerous motives of her policy, and the degree of faith due to her professions, will become too obvious to need any illustration.

And his Majesty's Commissioners thought and still think themselves intitled to expect that the General Congress should not on the ground of such treaties, even if the constitution under which they act had authorized them, assume the decisive part which they have taken, without previously consulting the assemblies of their different provinces, and making their constituents acquainted with all the facts upon which a true judgment might be formed.

CARLISLE,  
H. CLINTON,  
WM. EDEN.

*New-York, August 26. 1778.*

Published by order of their Excellencies his Majesty's Commissioners.

ADAM FERGUSON, Secy.

To the British COMMISSIONERS.

A letter has been laid before Congress, signed Geo. Johnstone, dated Philadelphia, June 10, 1778, directed to the Hon. Francis Dana, Esq; and among other things the writer says, "there are three facts I wish to assure you of"

First, "Dr. Franklin, on the 29th of March last, in discussing the several articles we wish to make the basis of our treaty, was perfectly satisfied they were beneficial to North America, and such as she should accept." Decisively to destroy this position, I have only to state two or three points.

The Hon. Silas Deane has informed me, that a secret negotiation from Britain did arrive at Passy immediately preceding the 29th of March last, and applied to Dr. Franklin. That he himself left Paris the first of April, in order to embark at Toulon for America. That at Toulon he received a letter from Doctor Franklin, dated the 7th of April. Mr. Deane put the letter into my hand, and, with his permission, I extracted the following paragraph.

—"The negociator is gone back, apparently much chagrined at his little success. I have promised him faithfully, that since his propositions could not be accepted, they should be buried in oblivion."—With every American I have no doubt but this testimony by Doctor Franklin will greatly outweigh the testimony given by Governor Johnstone and his negociator, who has divulged the propositions he desired the Doctor to bury in oblivion. But there was design in this conduct—it is so obvious that I need not point it out.

Second, "That this treaty with France was not the first that France had exacted, and with which Mr. Simeon Deane had put to sea, but granted and acceded to after the sentiments of the people of Great Britain had fully changed;" meaning with

regard to the measures to be pursued with America, conciliation instead of coercion.

Upon this second article I must observe, that the Hon. Silas Deane, to whom I read it, and who was at the Court of France during the whole time of any negotiation there for a treaty between France and America, assures me that France never exacted any terms from America but those contained in the treaties of the 6th of February, and that Mr. Simeon Deane had never put to sea with any other treaties. That it is true he had put to sea preceding this period, but only charged with the declaration of the Court of France, delivered by Mons. Gerard on the 16th of December, to the American Commissioners, of whom Mr. Deane was one, and with letters from the Commissioners, informing Congress, that the treaty would be formed agreeable to that declaration, a declaration which I have already stated in my letter to your Excellencies of the 17th of June, at York Town. And thus, from the express authority of the Hon. Mr. Deane, Governor Johnstone stands fully confuted.

As for the third fact, "That Spain, unasked, had sent a formal message, disapproving of the conduct of France," I have only to say, that as I cannot offer evidence against it, for argument I will admit the fact may be so; and what then? will Governor Johnstone pretend to say, Spain now disapproves the conduct of France?—It is known to the world that France and Spain are in the most perfect confidence together, France is now at war with Great Britain. Governor Johnstone now knows this fact, and I assure myself that he does not doubt that Spain is either at this moment also at war with Great Britain, or very shortly will be. A few weeks will ascertain this matter, and demonstrate that the Governor is content to catch at a straw. When

his Excellency wrote this on the 10th of June, he had then to learn, that the Count D'Estaing had sailed from Toulon; and that the Spanish plate fleet had arrived at Cadiz.

I now call upon Governor Johnstone relative to a more serious subject. His personal honour is interested: the following particulars are not unworthy his notice:

A letter signed by him, dated Philadelphia, June 16th, 1778, and directed to the Hon. Robert Morris, contains the following paragraphs:

[These paragraphs are inserted in page 14; the one begins, "I believe the men who have conducted, &c." And the other, "On Sunday the 21st of June last, relative to the written message from a married lady of character having connections with the British army."]

JOS. REED.

It is needless for me to make any reflections upon such particulars. I bid your Excellencies farwell.

WILLIAM HENRY DRAYTON,  
Philadelphia, July 18, 1778.

To the EARL of CARLISLE.  
My Lord,

As you, in conjunction with your brother Commissioners, have thought proper to make one more fruitless negotiatory essay, permit me, through your Lordship, once more to address the brotherhood. It is certainly to be lamented that gentlemen so accomplished should be so unfortunate. Particularly, my Lord, it is to be regretted that you should be raised up as the Topstone to a pyramid of blunders.

On the behalf of America I have to intreat that you will pardon their Congress for any want of politeness, in not answering your letter. You may remember, that in their last letter they stated certain terms as preliminaries to a negotiation. And I am sure your Lordship's candour

will do them the justice to acknowledge that they are not apt to tread back the steps they have taken. In addition to this it so happens that they are at present very indifferent whether or not your King and Parliament acknowledge their independency; and still more indifferent as to withdrawing his fleets and armies.

You mistake the matter exceedingly, when you suppose that any person in America wishes to prolong the calamities of war. No, my Lord, we have had enough of them in all conscience. But the fault lies on you or your ———, or some of the people he has about him, Congress, when Sir William Howe landed on Staten Island, met him with their declaration of independence. They adhered to it in the most perilous circumstances. They put their lives upon the issue; nay their honour. Now in the name of common sense, how can you suppose they will relinquish this object in the present moment?

I am fully of your Lordship's opinion, when you decline any dispute with Congress, about the meaning of the term independence. They would have infinite advantage over you logically, but what is worse, they are politically in a capacity to put upon the term just what construction they please: nay, my Lord, eventually Great Britain must acknowledge just such an independence as Congress think proper; they are now in the full possession and enjoyment of it. How idle in you to talk of insuring or enlarging what is out of your power, and cannot be increased.

You give two reasons for not withdrawing your fleet and armies. The first is, that you keep them here by way of precaution, against your ancient enemies. Really, my Lord, I was at a loss for some time to comprehend the force of this reasoning,

or

or how a body of men in this country and a large fleet could *protect you against an invasion from France*. And I am even now perhaps mistaken, when I suppose your sea and land forces have been kept here to draw the attention of your enemies to this quarter, and leave their coast exposed, that so you may have an opportunity of invading France. If this war was the object, it hath had the desired effect. Your armies are doubtless assembled in readiness for the descent, which, considering the unprovided state of that country, cannot but prove successful: and therefore I congratulate your Lordship on the fair prospect you enjoy of seeing your Sovereign make his triumphant entry through the gates of Paris.

Your second reason for staying here, is to protect the Tories. Pray, my Lord, ease your mind upon that subject. Let them take care of themselves. The little ones may be pardoned whenever they apply. The great ones have joined you from conscientious or interested motives. The first in having done what they thought right, will find sufficient comfort. The last deserve none. I offer you this consolation, my Lord, because we both know that you cannot protect the Tories, and because there is every reason to believe that you cannot protect yourselves.

You have, it seems, determined your judgment by what you conceive to be the interest of your country, and you propose to abide by your declarations in your possible situation. I rather imagine that you are determined by your instructions; but if otherwise, surely, my Lord, you are not to learn that circumstances may materially alter the interest of your country and your conceptions of it. The decision of some military events, which you did not wait for, would put you in a situation to speak to Congress in much more decent terms

than those contained in your last letter.

But you want to know, my Lord, what treaties we have entered into. In pity to your nerves, Congress have kept this knowledge. It will make the noblest among you tremble. As we are not about to negotiate at present, there is no need of the communication. However, to satisfy your curiosity as far as an individual can, I pray you to recollect, that the Marquis de Noailles told you his Court, when they formed an alliance with America, had taken eventual measures. You cannot but know that a French fleet is now hovering on the coast—draw your own conclusions, my Lord.

It is a most diverting circumstance to hear you ask Congress what power they have to treat, after offering to enter into a treaty with them, and being refused. But I shall be glad to know by what authority you call on them for this discovery. The Count de Vergennis had a right to it, but the Earl of Carlisle certainly has not. Let me add, my Lord, in making the request there is a degree of asperity not suited to your situation. When you were in the arms of victory, we pardoned an insolence which had become habitual to your nation. We shall reverse it, if preserved when you are reduced to the lowest pitch of wretchedness. But in the present moment, when you certainly cannot terrify, and have not suffered so as to deserve pity, such language is quite improper. And it forces from me certain facts, which I am sorry to mention, as they shew your masters to be wicked beyond all example.

When they found that no alliance was actually on the carpet between his Most Christian Majesty and these States, they offered to cede a part of the East Indies, to give equal privileges in the African trade, and to divide the fisheries, provided they might

might be at liberty to ravage America. And when that would not do, they told the French Ministry that it was absurd to treat with Congress; that they were faithless; nay, that the bargain was struck for the purchase of America, and money, to the amount of half a million, sent over to pay the price. These, my Lord, are facts—facts which will hang up to eternal infamy the names of your rulers. The French, my Lord, laughed at the meanness and falshood of these declarations. But they suffered themselves to appear to be deceived. They permitted you to flounder on in the ocean of your follies and your crimes. You and your brethren, I find, are directed to play the same game here: to call our allies faithless; to tell an hundred incoherent fictions about our treaties; the substance of which you confess yourselves at this moment ignorant of. And, what is the greatest absurdity, you pretend to tell Congress the manner in which the negotiations were carried on, when Mr. Deane, the principal negociator, on their part, is on the spot to give information. For shame. For shame. It is for these reasons that Congress treat you with such utter contempt.

There is but one way to sink you still lower, and thank God you have found it out. You are about to publish! Oh my Lord! my Lord! you are indeed in a mighty pitiful condition. You have tried fleets and armies, and proclamations, and now you threaten us with news papers. Go on, exhaust all your artillery. But know, that those who have withstood your flattery, and refused your bribes, despise your menaces.—Farewell. When you come with better principles, and on a better errand, we shall be glad to meet you: till that moment, I am your Lordship's most obedient, and most humble servant,

An AMERICAN.

*Admiralty-Office, Sept. 13, 1778.*

Captain Venture, of the *Hannah* armed vessel, arrived this day with dispatches from the Lord Viscount Howe, Commander in Chief of his Majesty's ships in North America, to Mr. Stephens: of which the following are extracts:

*Eagle, at Sandy-hook, July 18, 1778.*

The enemy continue in the same situation as mentioned in my letter of the 11th instant. The position they have taken, has enabled them to intercept about nine or ten mostly small trading vessels bound to this port; together with the York armed sloop, and one of the bomb tenders of the squadron.

I understand that the packet, which sailed from England in May, has been taken by an armed brig, mounting 14 guns, and carried into New London.

*Eagle, Sandy-hook, July 26, 1778.*

By this opportunity you will receive the farther reports of my proceedings, sent subsequent to the 6th instant, (the date of my first letter) by the Grantham packet, and a later conveyance.

I have now to add, that on the 22d in the morning the enemy weighed and stood from before this port to the southward, with the wind to the eastward, followed by the advice boats which I had stationed without them. They were left, on the 23d in the morning, in the latitude of the Delaware, and about 30 leagues from the land, steering by the wind at east, on the larboard tack.

The weather having been very favourable the last three days for prosecuting an attempt to force the entrance of this port, and the Toulon squadron not appearing on this part of the coast, I conclude the French Commander has desisted from the purpose he is reported to have declared to that effect.

On the 25th instant, the Dispatch, sent for Halifax the 10th, returned with

with letters from Captain Fielding of the 19th.

Captain Fielding, on the most laudable motives, ordered away the Centurion and Reasonable from that station, to strengthen the squadron here, as soon as he heard of the appearance of the enemy on this coast: the two ships are not yet arrived; but from the last observed position of the French squadron, and easterly winds still prevailing, I flatter myself they will escape to the northward of the enemy, and may be daily expected at the Hook.

The Renown, which had been appointed to conduct the West-India convoy, came in here from Antigua, the same evening, with the Dispatch.

*Eagle, Sandy-hook, July 31, 1778.*

No opportunity for sending off the dispatches you will receive herewith having earlier offered, I am enabled, in addition thereto, to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the Reasonable joined me here the 28th, and the Centurion, with the Cornwall, yesterday.

Captain Edwards parted company from the squadron with Vice-admiral Byron in a sudden and hard gust of wind the 3d instant, in latitude 48. 53. and longitude 31. 16.

No intelligence having been since received of the Vice-admiral, I am preparing to put immediately to sea, with the force collected at this port, in quest of the French squadron, supposed, when last seen on the 28th, to be steering for Rhode Island.

*Whitehall, Sept. 14, 1778.*

*Triplicate of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, one of his Majesty's Principal Secretaries of State; the original and duplicate of which have not been received.*

*New-York, July 11, 1778.*

My Lord,

I have the honour to inclose to your Lordship copies of two letters

lately received from Major-general Pigot, informing me of the success of two expeditions, sent by him from Rhode Island, to which I beg leave to refer.

I have the honour to be, &c.

H. CLINTON.

*Copy of a letter from Major-general PIGOT to General Sir HENRY CLINTON, dated Newport, May 27, 1778.*

Sir,

In a former letter I had the honour to acquaint you with the arrival of General Sullivan at Providence, to take the command of the troops of this State. You was likewise informed that it was the prevailing opinion he was sent there on purpose to make an attack upon this island, whenever a convenient opportunity offered. Every day since has afforded new and sufficient cause to confirm this suspicion; and having procured intelligence, that a great number of large boats and a galley were ashore on the west side of the river, and below Hikamuct bridge, all under repair, with a number of cannon and stores, Commodore Griffith and myself were of opinion, that no time should be lost to take advantage of this unguarded situation of the rebels, having certain information that there was only a guard of 10 men upon the boats, and not more than 250 men on the whole peninsula, from Warren to Bristol-ferry; and that it was not possible any considerable force could be assembled and come to their assistance before the boats were destroyed, the whole business finished, and the troops safely re-embarked. Lieutenant-colonel Campbell, of the 22d regiment, being ordered for this command, with eight battalion companies of the 22d regiment, the flank companies of the 54th regiment, and Captain Noltenius's company of Hessian chassours, the whole making about 500 men, marched the evening of the 24th instant from Newport to Arnold's Point

Point, where they embarked about twelve o'clock on board the flat-bottom boats, under the direction of Captain Clayton and Lieutenant Knowles of the navy; and it is with pleasure I send you the following agreeable report of Colonel Campbell's success and proceedings while on this expedition. He has acquainted me, that the boats proceeded up the harbour towards Warren river, his Majesty's ship *Flora* then moving up above Papasquash Point, to cover the operation of the troops; and the other ships changing their station, so as to give every assistance in their power. Soon after day-break, the troops landed undiscovered a mile above Bristol, and three miles below Warren, and Colonel Campbell detached Captain Seix of the 22d regiment, with 30 men, to Papasquash Point, to take and destroy the rebel battery of one 18 pounder, which was easily effected, and a Captain of artillery and 7 privates made prisoners. The main body moved on to the town of Warren, and after taking the precaution of establishing posts to secure the passes, proceeded to Hickamuct river, where they found the boats without a guard, or any one to molest them. They were immediately collected in several heaps, and the whole set fire to, amounting to 125 boats, many of them 50 feet in length. A galley of six 12 pounders, two sloops, one of them loaded with stores, with a quantity of materials for building and repairing, were likewise burnt, as was a mill and a bridge across the river. The guns of the galley, together with three 18 pounders mounted on travelling carriages, were spiked, the trunnions knocked off, and the carriages burnt. This service being effectually performed, the troops returned to Warren. The party of chasseurs left there had destroyed a park of artillery, consisting of two 24 pounders, two 18 pounders, and two 9 pounders,

mounted on travelling carriages, with side boxes, ammunition, and side arms, complete, by spiking up the guns, burning the carriages, limbers, &c. In the town of Warren they discovered a house full of ammunition, combustibles, and other warlike stores, and some casks of rum, rice, and sugar, which was blown up, and the whole destroyed.

A new privateer sloop, mounting sixteen 4 pounders, and fit for sea, was burnt in Warren river. The town-house, church, and several houses, were likewise burnt to the ground.

The objects of this enterprize being thus far effected, the troops returned by the way of Bristol. On the march near Warren two field pieces were spiked up, and a light three pounder, abandoned by the rebels, was rendered useless by being spiked, and the carriage broken to pieces. Two three pounders in a redoubt on the road were destroyed in the same manner. In marching through the town of Bristol, one 18 pounder was spiked, and a military store was blown up, and the church and some houses burnt. By this time a party of the rebels had assembled, and kept up a constant fire upon our rear from two field pieces, and a number of small arms, till the troops gained the height above Bristol-ferry, where they spiked up two 18 pounders in the rebel battery, and then made the signal for the flat-bottom boats to advance from Papasquash river. Upon their arrival, the whole detachment embarked with regularity and good order, under cover of our fort on the opposite shore, and the *Flora* man of war and two galleys, (the *Pigot* and *Spitfire*) the latter having been taken from the rebels the same morning by Lieutenant Kempthorn, of the *Nonfuch*. The rebels ventured to ascend the hill with one field piece, but not before the troops were all embarked, and the boats at  
a great

a great distance from the shore. This essential service was performed with very inconsiderable loss; Lieutenant Hamilton, of the 22d regiment, four Hessian soldiers, and eight British, were wounded, and two drummers. It is impossible to ascertain the loss the enemy sustained, but believe it to be of no great moment; for though they kept up a heavy fire upon our rear at times, it was always at a great distance, under cover of their field pieces, and from behind walls, which rendered the fire of our men very uncertain. The following is the number of prisoners taken: 1 Colonel, 3 Field Officers, 2 Captains, 2 Lieutenants, and 58 persons, most of them soldiers, or belonging to the militia. Colonel Campbell speaks of the behaviour of Lieutenant-colonel Hillman of the 22d regiment, Captains Poore and French of the 54th, Captain Noltenius of the Hessian chafseurs, and of Lieutenant Melshimer, Aid-de-camp to General Lofsberg, who went a volunteer and served as interpreter for the Hessians, in a manner that does them great honour; and the behaviour of the whole detachment, officers and men, gave him great pleasure, and deserves the highest commendations. The great regularity and good order observed by Captain Clayton and Lieutenant Knowles of the navy, in conducting the flat-bottom boats during the night with such secrecy along the enemy's shore, and in landing the troops and re-embarking them with so much expedition, could not have been performed by any but those who have had so much practice and experience in that part of the service, and has contributed greatly to the success of the expedition.

To the above account I have the pleasure to add, that about two o'clock the same morning the Pigot galley, and six armed boats, commanded by Captain Reeve of the navy, passed the rebel battery at

Bristol-ferry; and, though hailed by the sentries, the enemy were made to believe the galley was one of their own vessels. So soon as she came to an anchor in Mount Hope Bay, Lieutenant Kempthorn moved forward to the entrance of Taunton river with the armed boats, and took the rebel galley, carrying two 18 pounders, two 12 pounders, and six 6 pounders, without opposition. The same morning, in order to fix the attention of the rebels at Howland's-ferry to the Seconnet shore, Lieutenant D'Auvergne of the Alarm galley landed a party of marines at Fogland-ferry, and set fire to the rebel guard-house without receiving any hurt.

These successes of the navy and army, in their several operations, I hope will convince the rebels that it is in the power of this garrison to annoy, lay waste, and distress their persons and property, whenever they are inclined to do so.

I have the honour to be, &c.

(Signed) ROBERT PIGOT.  
Copy of a letter from Major-general  
PIGOT to General Sir HENRY  
CLINTON. Dated Newport, May  
31, 1778.

Sir,

A few days ago I had the pleasure of acquainting you with Lieutenant-colonel Campbell's success in destroying the rebels shipping, boats, cannon, magazines, &c. and having information that there was a large quantity of boards and planks at Fall river, and the only saw mills that are in this part of the country, the Commodore and I were of opinion it would be doing good service if the whole could be destroyed. To effect which, 100 men, of the 54th regiment, commanded by Major Eyre, embarked last night in flat-bottomed boats at Arnold's Point, having the Pigot galley and some armed boats for their protection and convoy: unfortunately the galley got a-ground in passing

Bristol-



Bristol-ferry; but the boats proceeded, and arrived a little after day-break at the proposed place for landing. They were discovered some time before they approached the shore, and a general alarm was given by the discharge of cannon and small arms. When the troops attempted to land, they were fired upon by a strong guard; however, the gun-boat soon dispersed them, and they landed and pushed forwards to two mills, the one for sawing, the other for grain, which were set fire to, and entirely consumed, together with a considerable quantity of boards and planks for building boats or privateers. The Major finding a greater number of men in arms than he expected, and being apprehensive the opposition would increase, thought it more prudent to retire than advance farther to the other mill, as the chief object of the expedition was answered, by destroying the principal saw-mill, and all the boards and planks. In returning to the boats, they set fire to the rebel guard-room, a provision store, and nine cedar boats; many sacks of corn were destroyed in the mills. His loss was two men killed, and Lieutenant Goldsmith and four men wounded. The rebels loss is thought to be more considerable. When the tide made, the galley got afloat; but in towing her off, Lieutenant Congleton of the *Flora* man of war was much wounded, and two men unfortunately killed. I have great pleasure in acquainting you, that on this expedition the navy and army behaved with their usual spirit and firmness.

I have the honour to be, &c.

(Signed) R. PIGOT.

*Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated New-York, July 27, 1778.*

I had the honour of writing to your Lordship, on the 16th instant, by way of Halifax, and took that oppor-

tunity to transmit duplicates of my dispatches, sent by the Grantham express boat.

There were some days since appearances, which seemed to indicate an intention of a general attack upon this place, in order to co-operate with the French fleet; but as they have quitted their station near Sandy-hook, and General Washington has reinforced Sullivan, it is more than probable that Rhode Island is become their object; however as that place has been reinforced with Major-general Prescott and five battalions; and Major-general Pigot, with the great assistance he has met with from the navy, has had time to put the sea defences in a tolerable state, it is to be hoped that he will be able, at least for a time, to resist the attack.

Major Agnew, of the 24th regiment, will have the honour of delivering my dispatches: permit me to recommend him to your Lordship's notice as a deserving officer. [*Gazette.*]

LONDON GAZETTE *Extraordinary.*  
*Whitehall, October 15, 1778.*

*Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, one of his Majesty's Principal Secretaries of State, dated New-York, August 11, 1778, received by Captain WILSON, of the 72d regiment, who came in the Duke of Cumberland packet boat, which arrived at Falmouth on the 12th instant, in thirty-four days from New-York.*

I was honoured with your Lordship's circular letter of the 3d, and dispatch of the 5th of June, by the Sandwich packet, on the 3d instant.

In my last, transmitted by the Mercury, I had the honour of informing you, that the French fleet had quitted their station near Sandy-hook; and that I thought it more than probable Rhode Island was become their object.

Lord

Lord Howe, with the fleet under his command, went to sea on the 6th.

The inclosed extracts of letters, (No. I, II, and III.) which I received within these few days from Major-general Pigot, and have now the honour to transmit to your Lordship, will shew that my opinion was well founded, respecting the destination of the French fleet; though I am not at present able to give your Lordship any other information concerning its operations at Rhode Island, than what is contained in the before-mentioned extracts of Major-general Pigot's letters.

By dispatches, which I have just now received from St. Augustine, from Governor TAYON and Brigadier-general PREVOST, dated the 11th and 25th of last month, I find that the rebels have been checked in their attempts upon the frontiers of East Florida; and that they are now under no apprehensions of the enemy's being able to effect any thing against that province.

[ No. I. ]

*Extract of a letter from Major-general Sir ROBERT PIGOT to General Sir HENRY CLINTON, dated Newport, July 31, and August 1, 1778.*

The French fleet appeared the 29th, about eleven in the morning. The Anspach regiments and Browne's corps, who were at Conanicut, were immediately withdrawn, leaving a detachment in the redoubts. The next morning two line of battle ships came up to Narraganzet passage. Our battery hulled one of them twice; they anchored opposite the north end of Conanicut. Two 36 gun frigates and a brig are in the Seconnet passage; upon their moving towards the King's Fisher and galleys, they were set fire to and blown up. This day the two two-deckers have been endeavouring to return to sea and join the fleet, which has been tacking backwards and forward the whole day, and

this evening are come to an anchor off Brenton's Lodge, where they anchored upon their first coming. They do not shew any inclination of entering the harbour, and destroying the transports and Flora frigate. The other frigates are advanced towards Bristol-ferry, near the shore, and have been busy getting out their provisions, guns, and powder; but if the two-deckers go and join the fleet, they will come into the harbour, and land their guns and stores. The parties at the redoubts on Conanicut are withdrawn, and the sheep and oxen brought off the island. Every thing is prepared for the regiments at the advanced posts, and the out detachments, to retire within our redoubts, where we intend to make our stand, and oppose any force that may come against us. It is uncertain where the landings are to be; I have twice endeavoured to get an inhabitant from the main, but both times failed in the attempt; this evening another person has offered to land and gain intelligence. There is very little appearance that the rebels are ready, from the few that are seen on either shore; but it is likely the grand embarkation will come from Providence, where all their tents, stores, and provisions are. The Commissary's stores are removed from houses on the wharfs to the ropewalk; and the navy provisions are removing from the town.

*Aug. 1.* The wind has been against the two ships in the Narraganzet passage, so cannot say if they mean to join the fleet, or continue where they are, but they are at present of little use to them.

( No. II. )

*Extract of a letter from Major-general Sir ROBERT PIGOT to General Sir HENRY CLINTON, dated Newport, Aug. 2, 1778.*

Yesterday I did myself the honour to write to you, to acquaint you of the arrival of the French fleet

off the mouth of the harbour. Last night I sent ashore, and brought off two inhabitants, the one belonging to Warwick Neck, the other to North Kingston. They give an account, that every thing is nearly ready, and that it is believed next Wednesday or Thursday three different landings will be attempted; the one from Bristol, another from the Seconnet shore, and the third from the fleet, and island of Conanicut, where a force is to be assembled. It is said General Arnold, with troops from the Delaware, is on board the French fleet. The militia from the New England provinces are drafted, and marched to Providence. These people say, that the Admiral is determined to destroy the town, and will sail into the harbour whenever the other landings at the North of the island are to take place. The two frigates and brig are still in the Seconnet, and the two line of battle ships have not been able to get out of the Narraganzet passage. The French have put two guns on the Dumplings, and, it is said, a force will be sent on that island this day. All our baggage is brought in from the camps, that the regiments may retreat as convenient as possible when found necessary. I have not at present more to add.

( No. III. )

*Copy of a letter from Major-general Sir ROBERT PIGOT to General Sir HENRY CLINTON, dated Newport, August 3, 1778.*

Last night and the night before I had the honour of writing to you, and acquainted your Excellency with the situation we were in, and what we could learn of that of the rebels and the French; I hope one or other of those accounts you have received. This morning I had the pleasure of your Excellency's letter of the 29th, and an hour afterwards arrived an naval officer from Lord Howe with dispatches. Since I wrote yesterday,

two armed brigs have arrived in the Seconnet, along-side the French frigates, full of men; the officers could not tell whether they were rebels or French, soldiers or sailors. The brigs continue with the frigates, but the men are either put on board the frigates, or landed. Yesterday and to-day a great number of small vessels, and two ships supposed to be rebel frigates, went up the Narraganzet passage from sea towards Providence, supposed to be full of men; but they were at two great a distance to discover any thing particular. About 200 French marines were seen to-day a shore on Conanicut, and a number of men about the Dumplings. It is thought to be a working party. We shall make the signal on the high ground near the place you desire; and, if in my power, will execute the rest of what you recommend. If the French fleet comes into the harbour, the Seconnet passage will be open. We are making a redoubt to secure the Gorge from Brenton's Neck, should a landing be made there. In my last I told you that the people I had made prisoners acquainted me, that the rebels would be ready by Wednesday or Thursday at farthest; that three different landings were intended—from Bristol, from the Seconnet, and from the fleet and shore at the South end, or in the harbour. We are preparing against every event. All the cattle and teams are drove in. The out-posts will continue to the last moment, and have orders not to retreat till the fleet enters the harbour, or a landing is attempted. We will make our front as strong as we can. Should they raise batteriés against us, it will take time. If they make a sudden attack, I hope we shall defend ourselves well. The troops are healthy and in good spirits; shall have all the encouragement I can give them to maintain their ground to the last. We have secured most of our provisions

wifions and ammunition, and I don't know that any thing is wanting. Three frigates are gone to the North end of the Island. I don't think the French will venture after them, lest they may want their assistance when absent.

*Copy of a letter from Lieutenant-general Earl CORNWALLIS to Lord GEORGE GERMAIN, dated New-York, September 6, 1778.*

Upon receiving information, that notwithstanding the departure of the French fleet, the rebels still continued the attack at Rhode Island, Sir Henry Clinton embarked in person with the first battalion of light infantry, the first battalion of grenadiers, and the third and fourth brigades under the command of Major-General Grey, and proceeded through the Sound to the relief of that place. I have received a letter from his Excellency, dated the first of this month, off Rhode Island, acquainting me, that the enemy had evacuated the Island the evening before.

We learn from Captain Wilson, that Lord Howe and Count d'Estaing had been upon the point of an engagement on the 11th of August, and were separated by a storm; and that Lord Howe had been joined by the Monmouth, a 64 gun ship, part of Admiral Byron's squadron; and that Count d'Estaing was in Nantasket Road on the 29th; and that Lord Howe had anchored opposite to him; that two fleets of victuallers had reached New-York, one on the 30th of August, and the other the 1st of September; in which last was the Lioness's storeship; that Rear Admiral Parker, on the 29th day of August, with six ships of the line, part of Admiral Byron's squadron, had also reached New-York; and that the Hessian and Anspach recruits were spoke with by Captain Wilson, in New-York river the 6th of September.

*Admiralty Office, Sept. 15, 1778.*

Lieutenant Dod, of his Ma-

jefty's armed brig, the Cabot, arrived at this office from Halifax on Tuesday last, with dispatches from the Honourable Vice-Admiral Byron, and Sir George Collier, to Mr. Stephens, of which the following are extracts:

*Extract of a letter from the Honourable Vice Admiral BYRON, dated on board the Princess Royal, Halifax harbour, August 27, 1778.*

In consequence of their Lordships orders of the 5th of June, I sailed in the morning of the 9th from Plymouth Sound, with the squadron under my command, and worked out of the channel against a fresh gale of wind at S. W. Nothing very material happened 'till the third of July, when the squadron was separated in latitude 49. 4 North longitude 26. 48. West, from the Lizard, in a most violent gale at North, with excessive heavy rain. At eight o'clock next evening the storm abated, and shewed only the Princess Royal, Invincible, Culloden, and Guadaloupe, of the squadron. On the 6th the Culloden was directed to look out in the North East quarter, and the Guadaloupe in the South West. The Guadaloupe joined again next afternoon, and kept company 'till the 21st, when she and the Invincible separated in a very thick fog, upon the Banks of Newfoundland. On the 5th of August we fell in with the Culloden, after being a month from us; but she parted company again in the night of the 11th. The Princess Royal thus left by herself, I continued my best endeavours to get to Sandy-Hook, but the prevailing winds being from the South West to West, we made very slow progress. On the 18th of August, at five in the morning, we discovered twelve sail of ships at anchor to leeward of us, about nine or ten miles, Sandy Hook then bearing North 40. West, distance 28 leagues. We immediately bore away for them, but at six o'clock we perceived they were large ships, and several of them getting under way, and making

making signals to each other, which we did not understand. We hawled our wind to the Westward, in order to clear ship; at half past seven having cleared ship, we tacked and took in the first reef of the topsails, slung the yards, &c. and got the ship in every respect fit for action. At nine we tacked to the Westward; two ships of the line were then in chace of us from the fleet, and one of them, which appeared to be the smallest, came up with us very fast. At ten we made the private signal established for the American Squadron, which was not answered; before this we had lost sight of the fleet, and in half an hour after, the headmost and smallest of the chacing ships backed her mizentop-sail, to let the sternmost and largest ship, which appeared to be of 74 or 80 guns, come up with her; as soon as she got up, they made some signal, and both bore away for their fleet; which surprized us greatly, for they were not above three miles distant, and had so much the advantage in sailing, that they might have been up with us in less than two hours, had they continued the chace. The weather was very hazy when we were at the nearest to this fleet; one ship was observed to have lost her bolt-sprit, and another to have jury top-masts; one carried a flag at the main, and another a flag at the fore-top gallant mast heads, which, with the signal they made to each other, and the whole of their conduct and appearance, left us in no doubt of their being the French Squadron under the command of Mons. D'Estaing; and I flatter myself, that if the Squadron I was entrusted with had not been separated, I should have completely fulfilled his Majesty's intentions, and their Lordships orders; but unfortunately I had no ship with me. I did not think it adviseable, after this, to try with the Princess Royal alone, to reach Sandy Hook, neither could I attempt to get to Rhode Island, as the enemy's Squa-

dron lay directly between us and both these places; I therefore determined to push for Halifax, and arrived here last night. I found no ship here of force, except the Culloden, whose commander had judged it expedient to bear away for this harbour, where he arrived the 16th. Not a moment shall be lost in getting the Princess Royal put in a condition for the sea: as soon as that is done, I purpose sailing with her and the Culloden, to form a junction with Lord Howe, of which I have endeavoured to give his Lordship notice, by a small sloop belonging to the Naval Yard, which Commissioner Hughes has lent for that service.

*Extract of a letter from the Honorable Vice Admiral BYRON, dated on board the Princess Royal, Halifax Harbour, Sept. 3, 1778.*

“ The Princess Royal having got a supply of water and provisions, and her foremast being secured in the best manner circumstances will admit of, I purpose sailing hence to-morrow, with her, the Culloden, Diamond frigate, and Dispatch sloop: I take the two last because they are clean, and their commanders well acquainted with the navigation of the coast, which makes me hope they will be found extremely useful. Captain Fielding was charged with the command of the King's ships employed on the coast of Nova Scotia; but as I have thought it expedient to take him with me, Sir George Collier is directed to carry on the duty which Captain Fielding was entrusted with.”

*Extract of a letter from Sir GEORGE COLLIER, dated on board the Rainbow, in Halifax Harbour, Sept. 8. 1778.*

“ I have the honour to inform their Lordships that Vice Admiral Byron sailed from hence on the 4th instant, with his Majesty's ships Princess Royal, Culloden, Diamond, Dispatch, and Hope sloops, in order to join the Squadron

Squadron under the command of the Viscount Howe.

“ A French ship of 74 guns, called *Le César*, arrived about eighteen days ago at Boston, in a shattered condition, having had a warm action with the *Isis*, who had killed and wounded fifty of her men, amongst which number was her Captain, Monsieur Bougainville, who has lost his arm in the action.

“ The French Squadron under *Le Comte D’Estaing*, after being dispersed in a hard gale of wind, which dismasted two of their principal ships, arrived singly at Boston, where they are at present refitting.

“ I have the satisfaction to inform their Lordships, that the troops composing this garrison are very healthy, and in good spirits, and from the many additional batteries and works, there is great reason to believe that any attempt of the enemy against the place would prove abortive.

“ I have directed his Majesty’s armed brig *Cabot* to proceed with these dispatches to England with the utmost expedition.

N. B. Lieutenant Dod, in his passage, fell in with the *Hinchinbrook* sloop, one of Vice-Admiral Montagu’s squadron, on the Banks of Newfoundland, whose Commander informed him, that Commodore Evans, in the *Invincible*, had put into St. John’s in that island; and, having repaired her damages, had again proceeded to sea.”

*Whitehall, October 27, 1778.*

The dispatches, of which the following are extracts, from General Sir Henry Clinton, Knight of the Bath, to the Right Honourable Lord George Germain, one of his Majesty’s principal Secretaries of State, were received on Sunday last, from Lieutenant Grove, of his Majesty’s ship the *Apollo*, which left New-York on the 17th of September, and arrived at Plymouth on the 23d instant.

*New-York, September 15, 1778.*

I had the honour of receiving your Lordship’s dispatches of the 12th of June and 1st of July, by the Lord Hyde packet, on the 18th of last month, and a triplicate of your letter No. 7, by the *Lioness*, on the 7th instant.

I detached Major-general Tryon, some time ago, to the east end of Long Island, to secure the cattle on that part; in which situation he could either reinforce Rhode Island, or make a descent on Connecticut, as circumstances might occur; and transports for 4,000 men were laying then in the Sound, and that number of troops ready for embarkation on the shortest notice.

In this state things were, when Lord Howe sailed for Rhode Island; and it was my intention to proceed up the Sound, with the troops above-mentioned, that they might be within his Lordship’s reach, in case we should see an opportunity for landing them to act with advantage; but, on the 27th of last month, at the instant they were embarked, I received a letter from Lord Howe, inclosing one from Major-general Pigot, by which I was informed, that the French fleet had quitted Rhode Island; but that the rebels were still there in great force.

I thought it adviseable to sail immediately for the relief of that place, but contrary winds detained us till the 31st; and, on our arrival, we found that the enemy had evacuated the Island. For particulars I must beg leave to refer your Lordship to Sir Robert Pigot’s letter, a copy of which I have the honour to inclose. I was not without hopes, that I should have been able to effect a landing, in such a manner as to have made the retreat of the rebels from Rhode Island very precarious; or that an opening would have offered for attacking Providence with advantage: being thwarted in both these views by the retreat of the rebels, as the wind was fair I proceeded towards

towards New London, where I had reason to believe there were many privateers; but the wind coming unfavourable just as I arrived off that port, and continuing so for twenty-four hours, I left the fleet, directing Major-general Grey to proceed to Bedford, a noted rendezvous for privateers, &c. and in which there were a number of captured ships at that time. For the particulars of his success, which has certainly been very complete, I must beg leave to refer your Lordship to the inclosed letter.

I am, &c.

H. CLINTON.

*Copy of a letter from Major-general PIGOT to General Sir HENRY CLINTON, dated Newport, Rhode Island, August 31, 1778.*

Though by my several letters since the 29th of July last, more especially by that I had the honour of writing by Lieutenant-colonel Stuart, and the accuracy of his intelligence, your Excellency will have been informed of the state of affairs here to the 28th instant; yet, as many of those letters, from the uncertainty of the communication, may not have reached you, a summary of the transactions since the 29th of July, when the French fleet arrived, to the last period, will not be unnecessary, and may help to explain subsequent events.

From the first appearance of the fleet to the 8th instant, our utmost exertions were directed to removing to places of security the provisions, ammunition, and military and naval stores, which were either on board ship, or on the wharfs, preparing a fortified camp, and disposing every thing for resisting the combined attacks of the French and rebels upon us; and I immediately withdrew from Conanicut Brown's Provincial corps, and two regiments of Anspach, which had been stationed there. The next morning the guns on the Beaver Tail and Dumplin

batteries, the former of which was directed with some effect against two line of battle ships that entered the Narraganzet passage, were rendered unserviceable, as the fleet entering the harbour, would cut off all communication with that island; of which the French Admiral soon after took a temporary possession, and landed the marines of his Squadron. During this period, from the movements of the French ships in the Seaconet on the 26th, the King's Fisher and two galleys were obliged to be set on fire; and afterwards, on the 5th instant, the four advanced frigates, from the approach of two of the enemy's line of battle ships from the Narraganzet, were likewise destroyed, after saving some of their stores, and securing the landing of the seamen.

When it was evident the French fleet were coming into the harbour, it became necessary to collect our forces, and withdraw the troops from the north parts of the island, which was accordingly done that evening. I likewise ordered all the cattle on the island to be drove within our lines, leaving only one cow with each family, and every carriage and intrenching tool to be secured, as the only measures that could be devised to distress the rebels and impede their progress.

On the 8th instant, at noon, the French fleet (which from its appearance had continued with little variation at anchor about three miles from the mouth of the harbour) got under way, and standing in under a light sail, kept up a warm fire on Brenton's Point, Goat Island, and the north batteries, which were manned by seamen of the destroyed frigates, and commanded by Captain Christian, Lieutenants Forrest and Otway of the navy, who returned the fire with great spirit, and in a good direction. The last of these works had been previously strengthened, and some transports sunk in its front, as

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an effectual measure to block up the passage between it and Rose Island.

The next morning we had the pleasure to see the English fleet, and I immediately sent on board to communicate to Lord Howe our situation, and that of the enemy. By nine o'clock the following day the French fleet repassed our batteries, and sailed out of the harbour, firing on them as before, and having it returned with equal spirit on our side. By this cannonade from the ships on both days, very fortunately not one man was hurt, or any injury done, except to some houses in town.

I shall now proceed to inform your Excellency of the movements of the enemy from the 9th instant, when they landed at Howland's-ferry.

The badness of the weather for some days must have prevented their transporting of stores, or being in readiness to approach us, as they did not make their appearance near us till the 14th, when a large body took possession of Honyman's-hill.

To repel any attempts from that quarter, a breast-work was directed to be made along the heights from Green End to Irish's redoubt, which was strengthened by an abbatis.

On the 17th, the enemy was discovered breaking ground on Honyman's-hill, on the summit of which, and on their right of the Green End road, they were constructing a battery: the next day another was commenced by them for five guns to their left, and in a direct line with the former, which was prepared for four. On this day a line of approach was likewise begun by them from the battery on the right to Green End road, which works we endeavoured to obstruct by keeping a continual fire on them. The 19th the enemy opened their left battery, which obliged our encampment to be removed further in the rear. This day we began another line, for the greater security of our left, from Irish's redoubt to Fo-

VOL. VII,

mini-hill; and I directed a battery of one twenty-four and two eighteen pounders to be raised on our right breast-work to counteract those of the enemy, which were opened the following day, when they were observed busied in forming a second approach from the first, to a nearer distance on the road.

At noon the French fleet again came in view, much disabled, and anchored off the port, where it continued till the 22d, when it finally disappeared.

This day the rebels were constructing two other batteries much lower down the hill than the former, one on the right for five, the other on the left of Green End road for seven guns, both which were opened the next day, when I found it necessary to attempt silencing them, and therefore ordered a battery for seven heavy guns, on commanding ground, near Green End, which, from the obstructions given by the enemy's fire, could not be completed till the 25th, when the rebels thought proper to close the embrasures of their lower batteries, and make use of them for mortars. During this time they had been constructing on the height of the east road, another for one of thirteen inches; and this day began a third approach in front, and to the right of their lower batteries.

The 26th, observing the enemy to discontinue their works, and learning, from deserters, they were removing the officers baggage and heavy artillery, I detached Lieutenant-colonel Bruce, with a hundred men of the 54th regiment, in the night, over Easton's Beach, in quest of intelligence, who with great address surprized and brought off a picquet of two officers and twenty-five men, without any loss. Some of Colonel Fanning's corps, at different times, exerted themselves in taking off people from the enemy's advanced posts; but little intelligence to be depended upon

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upon was ever obtained from them; nor were other attempts to procure it more efficacious, as from all that could be learned, it was doubtful whether their intentions were to attack our lines or retreat.

On the 27th the Sphynx and two other ships of war arrived; and I had the honour of being informed by Colonel Stuart of your Excellency's intention to reinforce this post.

On the following day the Vigilant galley took a station to cover the left flank of the army; and at ten o'clock that night the rebels made an attempt to surprize a subaltern's picket from the Anspach corps, but were repulsed, after killing one man, and wounding two others.

The 29th, at break of day, it was perceived that the enemy had retreated during the night, upon which Major-general Prescott was ordered to detach a regiment from the second line under his command, over Easton's Beach, towards the left flank of the enemy's encampment, and a part of Brown's corps was directed to take possession of their works. At the same time Brigadier-general Smith was detached with the 22d and 43d regiments, and the flank companies of the 38th and 54th, by the east road. Major-general Lofsberg marching by the west road, with the Hessian chassieurs and the Anspach regiments of Voit and Seaboth, in order, if possible, to annoy them in their retreat; and upon receiving a report from General Smith, that the rebels made a stand, and were in force upon Quaker's-hill, I ordered the 54th and Hessian regiment of Huyn, with part of Brown's corps to sustain him; but before they could arrive, the perseverance of General Smith, and the spirited behaviour of the troops, had gained possession of the strong post on Quaker's-hill, and obliged the enemy to retire to their works at the north end of the island. On hearing a smart fire from the chassieurs engaged on the

west road, I dispatched Colonel Fanning's corps of Provincials to join General Lofsberg, who obliged the rebels to quit two redoubts made to cover their retreat, drove them before him, and took possession of Turkey-hill. Towards evening, an attempt being made by the rebels to surround and cut off the chassieurs, who were advanced on the left, the regiments of Fanning and Huyn were ordered up to their support, and after a smart engagement with the enemy, obliged them to retreat to their main body on Windmill-hill.

To these particulars I am in justice obliged to add Brigadier-general Smith's report, who, amidst the general tribute due to the good conduct of every individual under his command, has particularly distinguished Lieutenant-colonel Campbell and the 22d regiment, on whom, by their position, the greater weight of the action fell. He also mentions with applause the spirited exertions of Lieutenant-colonel Marsh and the 43d regiment, of Captains Coore and Trench, who commanded the flank companies. He likewise acknowledges particular obligations to all the officers and men of the royal artillery, as also to the seamen who were attached to the field-pieces; and has expressed his thanks to Captain Barry, of the 52d regiment, who was a volunteer on this occasion, and assisted in carrying his orders. General Lofsberg has given his testimony of the very good behaviour of the Anspach corps, commanded by Colonel de Voit, and of Captains Malfsburg and Noltenius, with their companies of chassieurs.

After these actions, the enemy took post in great numbers on Windmill-hill, and employed themselves in strengthening that advantageous situation.

This night the troops lay on their arms on the ground they had gained, and directions were given for bringing

ing up the camp equipage. Artillery were likewise sent for, and preparations made to remove the rebels from their redoubts; but by means of the great number of boats, they retreated in the night of the 30th over Bristol and Howland's-ferry; thus relinquishing every hold on the island, and resigning to us its entire possession.

During these tedious and fatiguing operations, I was much indebted to the active zeal of Captain Brisbane and all the Captains, other officers and men of the navy, who enabled me to man the different batteries with their most experienced officers, and best men, who by their example and constant attention contributed much in the support of the defences. And I must also take notice of the good inclination for the service shewn by the marines of the different ships, which occasioned my giving them in charge the defence of that principal post on Fomini-hill. Nor can I conclude this account, without expressing my sincere acknowledgments to every officer and soldier under my command, and to the several departments, for their unwearied exertions to counteract so many difficulties.

The prisoners taken on the 29th are not many in number; but I have reason to believe the killed and wounded of the rebels is greater than that in the return I have the honour to inclose you of ours.

*Return of the killed, wounded, and missing, of the troops under the command of Major-general Sir ROBERT PIGOT. Rhode Island, Aug. 29, 1778.*

Flank companies, 38th, 54th, 1 Serjeant killed; 1 Lieutenant, 1 Serjeant, 1 drummer, 19 rank and file, wounded; 1 Lieutenant, 2 rank and file, missing.

22d Regiment. 11 Rank and file killed; 1 Lieutenant, 3 Ensigns, 2 Serjeants, 48 rank and file, wounded; 1 rank and file missing.

43d Regiment. 1 Serjeant, 2 rank

and file, killed; 2 Ensigns, 14 rank and file, wounded; 1 rank and file missing.

Royal artillery. 1 Serjeant, 2 rank and file, 1 driver, killed; 1 Lieutenant, 10 rank and file, 2 drivers, wounded.

Huyn's regiment. 1 Captain, 4 rank and file, killed; 1 Captain, 5 Serjeants, 51 rank and file, wounded; 1 rank and file missing.

1st Battalion Anspach. 2 Rank and file killed; 3 rank and file wounded.

2d Battalion ditto. 4 Rank and file killed; 1 Serjeant, 5 rank and file wounded.

Hessian chasseurs. 2 Rank and file killed; 1 Captain, 1 Lieutenant, 1 Serjeant, 14 rank and file wounded; 1 rank and file missing.

Hessian artillery. 1 Serjeant wounded.

King's American regiment. 1 Volunteer, 1 Serjeant, 3 rank and file, killed; 1 Lieutenant, 2 Ensigns, 2 Serjeants, 15 rank and file wounded. Seamen. 1 killed; 1 wounded.

Total. 1 Captain, 1 Volunteer, 4 Serjeants, 31 rank file, 1 driver, killed. 2 Captains, 5 Lieutenants, 7 Ensigns, 13 Serjeants, 1 drummer, 180 rank and file, 2 drivers, wounded. 1 Lieutenant, 1 Serjeant, 10 rank and file, missing.

(Signed) R. PIGOT.  
*Names of the officers killed, wounded and missing.*

Flank companies. Lieutenant Swinney, 38th, prisoner. Lieutenant Layard, 54th, wounded.

22d Regiment. Lieutenant Cleg-horn, Ensigns Borland, Proctor, and Adam, wounded.

43d Regiment. Ensigns Roche and Affleck wounded.

Royal artillery. Second-lieutenant Kemble wounded.

Huyn's regiment. Captain Schallern killed. Captain Wagener, wounded.

Hessian chasseurs. Captain Noltenuis, Bunau's regiment, Lieute-

nant *Murarius*, *Langrave's*, wounded.

King's American regiment. Lieutenant *Campbell*, Ensigns *Eustick* and *Purdy*, wounded.

Volunteer *Eustace*, King's American regiment, killed.

(Signed) R. P I C O T.

*Extract of a letter from Major general GREY, to his Excellency Sir HENRY CLINTON, dated on board the Carrysfort frigate off Bedford harbour, September 6, 1778:*

I am happy to be able to acquaint you, that I have been so fortunate, in the fullest manner, to execute the service your goodness entrusted me with at Bedford and Fair Haven.

A favorable wind, and every possible exertion and assistance received from the navy, enabled us to land so rapidly, yesterday evening about six o'clock, that the enemy had a very few hours notice of our approach: the business was finished, and the troops all re-embarked this morning by twelve o'clock, with the loss, which particularly gives me pleasure and content, of only five or six men wounded, one of whom is since dead. The stores destroyed were valuable, and the number of ships burnt about 70, privateers and other ships, ready with their cargoes in for sailing. The only battery they had was on the Fair Haven side, an enclosed fort with eleven pieces of cannon, which was abandoned, and the cannon properly demolished by Captain *Scott*, commanding officer of the artillery, and the magazine blown up.

I cannot enough praise the spirit, zeal and activity of the troops you have honoured me with the command of upon this service, also their sobriety in the midst of temptation, and obedience to orders, as not one house in Bedford and Fair Haven, I think, was consumed that could be avoided, except those with stores.

I write in haste, and not a little tired, therefore must beg leave to re-

for you for the late plan of operations and particulars to Captain *Andre*.

*Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated New-York, Sept. 15, 1778.*

In obedience to his Majesty's commands signified to me by your Lordship, every necessary step shall be taken by me, for the strict observance of what is stipulated in the Convention of *Saratoga*, on the part of Lieutenant-general *Burgoyne*, as well as the fullest assurance given, that the troops when embarked shall be sent to Great Britain, and every condition agreed upon between Lieutenant-general *Burgoyne* and Major-general *Gates*, respecting them, faithfully observed.

*Extract of a letter from General Sir HENRY CLINTON to Lord GEO. GERMAIN, dated New-York, Sept. 21, 1778, brought by his Majesty's ship the Eagle, and received the 26th instant.*

In my last I had the honour to inform your Lordship of the success of Major-general *Grey* at Bedford and Fair Haven. I have now the pleasure to transmit an account of his whole proceedings upon that expedition, which will shew how effectually this enterprize has been executed, and the very great loss the enemy have sustained; at the same time that it reflects much honour upon the abilities of the General, and the behaviour of the troops employed on the occasion.

*COPY of a letter from Major-general GREY to General Sir HENRY CLINTON, dated on board the Carrysfort, Whitestone, Sept. 18, 1778.*

Sir,

In the evening of the 4th instant, the fleet, with the detachment under my command, sailed from New-London, and stood to the eastward with a very favourable wind. We were only retarded

retarded in the run from thence to Buzzard's Bay, by the altering our course for some hours in the night, in consequence of the discovery of a strange fleet which was not known to be Lord Howe's until morning. By five o'clock in the afternoon of the 5th, the ships were at an anchor in Clark's Cove, and the boats having been previously hoisted out, the debarkation of the troops took place immediately. I proceeded without loss of time to destroy the vessels and stores, in the whole extent of Accushnet river (about six miles) particularly at Bedford and Fair Haven, and having dismantled and burnt a fort on the east side of the river, mounting eleven pieces of heavy cannon, with a magazine and barracks, completed the re-embarkation before noon the next day. I refer your Excellency to the annexed return for the enemy's losses, as far as we were able to ascertain them, and for our own casualties.

The wind did not admit of any further movement of the fleet the 6th and 7th, than hauling a little distance from the shore. Advantage was taken of this circumstance to burn a large privateer ship on the stocks, and to send a small armament of boats, with two galleys, to destroy two or three vessels, which being in the stream, the troops had not been able to set fire to.

From the difficulties in passing out of Buzzard's Bay into the Vineyard Sound, through Quickse's Hole, and from Head Winds, the fleet did not reach Holme's Hole harbour, in the Island of Martha's Vineyard, until the 10th. The transports with the light infantry, grenadiers, and 33d regiment, were anchored without the harbour, as I had at that time a service in view for those corps whilst the business of collecting cattle should be carrying on upon the island. I was obliged by contrary winds to relinquish my designs.

On our arrival off the harbour the

inhabitants sent persons on board to ask my intentions with respect to them, to whom a requisition was made of the arms of the militia, the public money, 300 oxen, and 10,000 sheep. They promised each of these articles should be delivered without delay. I afterwards found it necessary to send small detachments into the island, and detain the deputed inhabitants for a time, in order to accelerate their compliance with the demand.

The 12th I was able to embark on board the vessels, which arrived that day from Rhode Island, 6000 sheep, and 130 oxen.

The 13th and 14th were employed in embarking cattle and sheep on board our own fleet, in destroying some salt works; in burning or taking in the inlets what vessels and boats could be found, and in receiving the arms of the militia. I here again refer your Excellency to returns.

On the 15th, the fleet left Martha's Vineyard; and, after sustaining, the next day, a very severe gale of wind, arrived the 17th at Whitestone, without any material damage.

I hold myself much obliged to the commanding officers of corps, and to the troops in general, for the alacrity with which every service was performed.

I have the honour to be, &c.

CHARLES GREY, M. G.

*Return of killed, wounded and missing, of the detachment under the command of Major-general GREY.*

1st Battalion light infantry. 1 wounded, 3 missing.

1st, battalion of grenadiers. 1 killed; 1 wounded; 3 missing.

33d Regiment. 1 missing.

42d Regiment. 1 wounded; 8 missing.

46th Regiment. 1 missing.

64th Regiment. 1 wounded.

Total, 1 killed; 4 wounded; and 16 missing.

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The enemy's loss, which came to our knowledge, was an officer and 3 men killed, by the advanced parties of light infantry, who, on receiving a fire from the inclosures, rushed on with their bayonets. Sixteen were brought prisoners from Bedford, to exchange for that number missing from the troops.

(Signed) CHARLES GREY, M. G.  
*Return of vessels and stores destroyed on Accusnet River, the 5th of September, 1778.*

8 Sail of large vessels from 200 to 300 tons, most of them prizes.

6 Armed vessels carrying from 10 to 16 guns.

A number of sloops and schooners of inferior size, amounting in all to 70, besides whale-boats and others: Amongst the prizes were three taken by Count d'Estaing's fleet.

26 Store-houses at Bedford, several at M'Pherson's wharf, Crans Mills and Fair Haven: these were filled with very great quantities of rum, sugar, melasses, coffee, tobacco, cotton, tea, medicines, gunpowder, sailcloth, cordage, &c.

Two large rope-walks.

*At Falmouth in the Vineyard Sound, the 10th of Sept. 1778.*

2 Sloops and a schooner taken by the galleys, 1 loaded with staves.

1 Sloop burnt.

*In Old Town harbour, Martha's Vineyard.*

1 Brig of 150 tons burthen, burnt by the Scorpion.

1 Schooner of 70 tons burthen, burnt by ditto.

23 Whale-boats taken or destroyed.

A quantity of plank taken.

*At Holmes's Hole, Martha's Vineyard.*

4 vessels with several boats, taken or destroyed.

A salt work destroyed, and a considerable quantity of salt taken.

*Arms taken at Martha's Vineyard.*

388 Stand, with bayonets, pouches, &c. some powder, and a quantity of lead, as by artillery return.

*At the battery near Fair Haven, and on Clark's Point.*

13 pieces of iron ordnance destroyed, the magazine blown up, and the platforms, &c. and barracks for 200 men, burnt.

£.1000 Sterl. in paper, the amount of a tax collected by authority of the Congress, was received at Martha's Vineyard from the collector.

*Cattle and sheep taken from Martha's Vineyard.*

300 Oxen. 10,000 Sheep.

(Signed) CHARLES GREY, M. G.  
*Return of ammunition, arms, and accoutrements, &c. which were brought in by the militia on the Island of Martha's Vineyard, agreeable to Major-general GREY's order, received at Holmes's Cove, September 12, 13, and 14, 1778,*

Tisbury. 132 Firelocks; 16 bayonets; 44 cartridge boxes or pouches; 11 swords or hangers; 22 powder horns.

Chilmark. 2 Halberts; 127 firelocks; 20 bayonets; 30 cartridge boxes or pouches; 12 swords or hangers; 40 powder horns; 2 pistols; 1 drum.

Old Town. 129 Firelocks; 14 bayonets; 3 cartridge boxes or pouches; 2 swords or hangers; 9 powder horns; 2 pistols.

Total. 2 Halberts; 388 firelocks; 49 bayonets; 77 cartridge boxes or pouches; 25 swords or hangers; 71 powder horns; 4 pistols; 1 drum.

N. B. 1 Barrel, 1 half barrel and quarter barrel of powder; a great number of lead shot or balls of different sizes in bags and boxes; and a great many flints.

(Signed) DAVID SCOTT, Captain,  
Roy. reg. of artillery.

*Admiralty Office, O.S. 27. 1778.*

The dispatches from Vice Admiral Lord Viscount Howe, Commander in Chief of his Majesty's ships in North America, to Mr. Stephens, in which the following are extracts, were brought to this office on Sunday last by

by Lieutenant Grove, of his Majesty's ship the *Apollo*, which left New-York the 17th of last month, and arrived at Plymouth the 22d instant.

*Eagle, off Sandy Hook, August 17.*  
1778.

In consequence of the determination signified in my letter of the 31st past, and the intelligence I had subsequently received, that the French Squadron was separated into different detachments, stationed off of the entrance of the middle channel, and in the Narraganset and Seconnet passages, for the attack of Rhode Island, I attempted sailing from Sandy Hook the 2d instant, with the ships of war and attendant vessels named in the annexed list, to profit by any opportunity which might offer for taking advantage of the enemy in that divided situation, and for the relief, in that case, of the garrison at Newport; but the wind veering back to the southward, and not afterwards corresponding sooner with the rising of the tide upon the bar, my departure was necessarily postponed until the morning of the 6th; and I anchored the Squadron off Point Judith the evening of the 9th.

The Toulon Squadron had passed the batteries at the entrance of the harbour the preceding day, and was mostly placed close over to the Conanicut shore, in the middle channel from Race Island northward towards Dyers and Prudence Islands.

Being thereby enabled to communicate immediately with the garrison, I was informed by Captain Brisbane of the progress of the enemy's operations, together with the destruction of the frigates, and other particulars since the dates of his earlier reports, as stated in the copies of his several letters herewith inclosed. By an officer from the Major-general Sir Robert Pigot I was at the same time advised, that he had been obliged to evacuate Conanicut, as well as all

his out-posts on the northern parts of Rhode Island, and to confine his defence to the lines constructed on the heights adjacent to the town of Newport. Under these circumstances I judged it was impracticable to afford the General any essential relief.

The wind changing to the north-east next morning, the French Admiral stood out of the port with the twelve two-decked ships of his Squadron, named in the list transmitted with your letter dated the 3d of May.

Deeming the superiority of the enemy's force too great to come to action with them, if it could be avoided, whilst they possessed the weather-gage, I steered with the Squadron formed in order of battle to the southward, in the hope of having the wind in from the sea, as, by the appearance of the weather, was to be expected later in the day: and, retaining the fire-ships only, I sent directions for the bombs and galleys to make sail with the *Sphinx* for New-York.

The enemy being equally attentive to the same object, no material use could be made in an alteration of the wind, for a short time, to the southward of the east. I therefore continued the same course the rest of the day, under a proportion of sail for the *Phoenix*, *Experiment*, and *Pearl*, having the three fire-ships in tow, to keep company with facility: the French ships advancing, though unequally, with all their sail abroad.

The relative position of the two Squadrons (about north and south from each other) remained the same on the morning of the 11th; but by the increase of distance between them at break of day, it appeared that the enemy had kept nearer the wind during the night, as their headmost ships were then hull-down.

The wind continuing to the east north-east, and having no further expectation of being able to gain the advantage of the enemy with respect

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to it, as before proposed, I altered the direction of the ships by successive changes of the course in the same view; or, failing still in that attempt, to await the approach of the enemy, with the Squadron formed in line of battle ahead from the wind to starboard; and about four in the evening I made the signal for the ships to close to the centre, when they shortened sail accordingly. I had moved some time before from the Eagle into the Apollo, to be better situated for directing the subsequent operations of the Squadron.

The bearing of the enemy's van (then under their top-sails, between two and three miles distant) was altered since the morning from the east-north-east to south-south-east; and the French Admiral had formed his line to engage the British Squadron to leeward. He soon after bore away to the southward, apparently from the state of the weather; which, by the wind freshening much with frequent rain since the morning, was now rendered very unfavourable for coming to action with any suitable effect.

The wind increasing greatly that night, and continuing violent with a considerable sea until the evening of the 13th, I was separated from the rest of the Squadron in the Apollo, (where I had been compelled by the weather to remain) with the Centurion, Ardent, Richmond, Vigilant, Roebuck, and Phoenix; and, as I afterwards found, many of the other ships had been also much dispersed.

The Apollo's main-mast being dangerously sprung in the partners, which made it necessary to cut away the top-mast to save the lower mast, and having lost her fore mast in the night of the twelfth, I embarked in the Phoenix, when the weather became more moderate later in the day, to collect the dispersed ships, and sent the Roebuck (which had lost the head of her mizen mast) to attend the Apollo to Sandy Hook.

Having afterwards proceeded in the Centurion to the southward, upon hearing several guns on that bearing in the morning of the 15th, I discovered ten sail of the French Squadron, some at anchor in the sea, about twenty-five leagues eastward, from Cape May; leaving the Centurion thereupon, in a suitable station, to direct any of the dispersed ships, or those which might arrive of Vice-admiral Byron's Squadron, after me, I repaired directly in the Phoenix for the appointed rendezvous, and joined the rest of the Squadron, this evening, off of Sandy Hook.

The chief damage sustained in the Squadron by the effects of the late gale of wind, besides what I have before related, was confined to the Cornwall and Reasonable; the main-mast of the former, and bowsprit of the last being sprung; but the Cornwall's mast will soon be rendered serviceable. And the Thunder bomb is still missing.

My observations on the ships of the French Squadron were confined solely to the discovery of their position. The particulars of their situation I have to add, were communicated by the different commanders of his Majesty's ships, which had been crossed earlier upon them.

The Languedoc and Tonant had lost all their mast, the main-mast of the latter excepted. The Languedoc was met in that condition in the evening of the 13th, and attacked by the Renown with such advantage, that the most happy consequences might have been expected from Captain Dawson's resolute efforts the next morning, if the execution of his purpose had not been prevented by the arrival of six sail of the French Squadron, which then joined the disabled ship.

A similar attempt with the like prospect of success, was made the same night by Commodore Hotham in the Preston, on the Tonant; and the

the continuance of the action, the next morning, necessarily declined for the same reason.

Neither of the two fifty-gun ships received any material damage in those spirited undertakings, besides the loss of the Preston's fore yard, which is rendered very unserviceable.

On the 16th, the Isis was chased and engaged by a French seventy-four gun ship, bearing a flag at the mizen top-mast head, and therefore supposed to be the *Zelé*. The Lords Commissioners will see in the copy of the inclosed report from Captain Raynor, the event of that very unequal contest. But it is requisite that I should supply the deficiency of his recital by observing to their Lordships, that the superiority acquired over the enemy in the action, appears to be not less an effect of Captain Raynor's very skilful management of his ship, than of his distinguished resolution, and the bravery of his men and officers.

My chief attention will be directed to a speedy dispatch of the needful repairs and supplies in the ships capable of being made soonest ready for service. The *Experiment* has been ordered off of Rhode Island to procure advices of the state of the garrison at Newport; for the reducing of which the rebels have been unavoidably left at liberty to land any force they may have drawn down to the adjacent coasts, upon Rhode Island.

I am,

With great consideration, &c.

Howe.

P. S. Since my return to this port, I have received letters from Captain Hawker, to acquaint me with the loss of the *Mermaid*, which was forced on shore near Senepuxen, by the French squadron, when the enemy arrived first off the Delaware towards the beginning of last month.

Vol. VII.

*List of the Squadron of his Majesty's ships which sailed from Sandy-Hook under the command of the Vice-Admiral the Viscount Howe, August 6, 1778.*

### THIRD RATE.

	<i>Guns</i>	<i>Men</i>	} Vice-admiral the Viscount Howe.
Eagle,	64	522	
Trident,	64	517	} Captains Duncan and Curtis.
			} Commod. Elliot.
			} Captain Molloy.

### FOURTH RATE.

Preston,	50	367	} Comm. Hotham.
			} Capt. Uppleby.

### THIRD RATE.

Cornwall,	74	600	Capt. Edwards.
Nonfuch,	64	500	Capt. Griffith.
Raisonable,	64	500	Ca. Fitzherbert
Somerfet,	64	500	Captain Ourry.
St. Alban's,	64	500	Capt. Onslow.
Ardent,	64	500	Capt. Keppel.

### FOURTH RATE.

Centurion,	50	350	Ca. Brathwaite.
Experiment,	50	320	Sir Ja. Wallace.
Isis,	50	350	Capt. Raynor.
Renown,	50	350	Capt. Dawson,

(acting)

### FIFTH RATE.

Phoenix,	44	280	Captain Parker.
Roebuck,	44	280	Capt. Hamond.
Venus,	36	240	Capt. Williams
Richmond,	32	220	Capt. Gidoin.
Pearl,	32	220	Captain Linzee.
Apollo,	32	220	Capt. Pownoll.

### SIXTH RATE.

Sphinx,	20	160	Capt. Græme.
Sloop Nautilus,	16	guns,	125 men,
			Captain Becher.

Armed ship Vigilant, 20 guns, 150 men, Captain Christian.

Fireship Strombolo, 45 men, Captain Aplin.

Ditto Sulphur, 45 men, Captain Watt.

Ditto Volcano, 45 men, Captain O'Hara.

Bomb vessel Thunder, 8 guns, 80 men, Captain Gambier.

Ditto Carcass, 70 men, Lieut. Edwards (acting.)

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Galley



Galley Philadelphia, Lieutenant Paterfon.

Ditto Huffer, Lieutenant Sir James Barclay.

Ditto Ferret, Lieutenant O'Brien.

Ditto Cornwallis, Lieutenant Spry.  
Howe.

*Copy of a letter from Captain BRISBANE to the Viscount HOWE, dated Flora off Newport, July 27, 1778.*

My Lord,

I have just now the honour of your Lordship's letter of the 19th instant, in answer to mine of the 7th by the Falcon, since which I wrote you by the Fowey on the 19th also: your Lordship's orders to make war upon, take, or destroy, all ships of the French nation appearing on the coast of North-America; and have given orders, in consequence thereof, to the Captains and Commanders of the several ships and vessels under my orders.

Major-general Sir Robert Pigot acquaints me, the batteries on Goat Island, Brenton's Neck, Dumplings, and that at the north end of the town, are put in the best state of defence possible for the time, in order to prevent any hostile intention of the enemy.

Agreeable to your Lordship's intimation respecting the ships under my orders, should the enemy appear, and endeavour to get in, I shall take the best precautions, according to circumstances, for their safety. I must observe to your Lordship, that Lieutenant Knowles, agreeable to my directions, has got all the transports and other vessels into the inner harbour, and placed the Grand Duke storeship across the mouth of the north entrance, in order to prevent, as much as possible, the enemy's destroying them: the Pigot, and rebel galley Spitfire, are placed at the south entrance to answer the same purpose; and, in case the enemy should come in, Lieutenant Knowles has directions to scuttle the transports.

As soon as I have reason to apprehend the enemy's intention is not to attack this port, I shall employ one of the advanced ships with the Sphynx to convoy the wood vessels from Huntington to this port, and place the Pigot galley in her station.

As soon as I am joined by the ship your Lordship intends assisting me with for the protection of the wood vessels, I shall employ her in convoying such of them as the General may think proper to send to Fort-Pond Bay.

In my present situation I know no mode of supplying the new galley with guns of the nearest caliber she is constructed to bear, but by taking the 2 eighteen pounders out of the rebel galley Spitfire, which I propose doing if the carriages will answer.

The complements of the Pigot and Spitfire are nearly complete, and the deficiencies shall be made up.

I have given the Surgeon of the Flora directions to purchase medicines for the prisoners, agreeable to your Lordship's directions on that head; and have divided the prisoners into two ships, separating those taken in arms from the rest.

The 10 British seamen brought from Boston are fit for service; have been exchanged within the limits of your Lordship's former directions, and distributed amongst the ships, in order to complete their complements: but as I have already acquainted General Sullivan, that, agreeable to your Lordship's orders, none of the New England prisoners could be exchanged until restitution was made for the circumstance of the Royal bounty; and from a rebel Colonel being very desirous to come to Newport to confer with General Pigot, he, as well as myself, have reason to believe it has taken a proper effect, from the idea they are to be sent to England: the conference will shew the event.

Yesterday the Sphynx arrived from assisting in convoying the vessels up the Sound

Sound: I intended to have sent her to cruize 10 or 12 leagues to the southward of Block Island, to prevent any vessels bound to the port of New-York falling into the enemy's hands; but as Captain Harmood, acquaints me he has been informed by the people on Long-Island, that they have left the Hook, I shall order her to cruize between the harbour's mouth and Block Island, in order to give the earliest intelligence.

As Lieutenant Andrew Congalton, first Lieutenant of the *Flora*, still continues incapable of duty, from the wound he received some time ago, I have given an order to Mr. Smith, Master's Mate, to act as second Lieutenant until his recovery, or your Lordship's pleasure is further known.

Captain Harmood's orders from Admiral Gambier being to return immediately, I have therefore dispatched him, with orders to return to his station, and forward my letter to your Lordship as soon as possible.

I am, with great respect,

My Lord;

Your Lordship's most obedient  
humble Servant,

J. BRISBANE.

*Copy of a letter from Captain BRISBANE to the Viscount HOWE, dated Flora, Newport, Rhode Island, July 29, 1778.*

My Lord;

I did myself the honour of writing to you the 27th instant, in answer to your Lordship's of the 19th, to which I beg leave to refer you, and which was to have been forwarded to your Lordship by the *Falcon*, who sailed the 28th instant; but the wind blowing strong southerly, she returned in the afternoon. The next morning about ten o'clock, on the breaking up of a fog, a French fleet appeared in sight, consisting of 12 sail of the line, and 4 frigates, pretty near the

S. E. point of the island; they anchored just without Brenton's Ledge, about two o'clock in the afternoon. In the evening two frigates and an armed brig went up the Seconnet, and anchored in the station appointed to the King's-fisher, who with the galleys retreated above Fogland battery.

The next morning, the 30th instant, two line of battle ships ran up the Naraganzet passage, off the north end of Conanicut, where they remain at anchor: the rest still at anchor without.

The General has thought proper to withdraw all the troops from Conanicut, destroyed the battery, and taken off the stock: the battery on the Dumplins is likewise destroyed.

I have got the *Flora* into the inner harbour; and as cannon are much wanted for the batteries, and exterior defence of the island, I shall land them, with the powder, ammunition, &c. Part of the provisions are already got out; and I shall proceed in getting out the remainder, with such other stores as can be saved; and have every thing prepared to set fire to the ship, when all hopes of saving her become impracticable.

The *Juno* is hauled close into Coddington Cove, has landed her guns, (for batteries) provisions, and some other stores.

The *Orpheus* and *Cerberus* are hauled behind Dyer's Island, and have landed their guns, ammunition, provisions, &c.

The *Lark* is off Arnold's Point, hauled close in, and has landed her guns, provisions, &c. and this morning Captain Smith informed me he had a battery for 12 guns nearly complete.

The *Falcon* is in the inner harbour; as I find she cannot now perform the service I intended for her, (which was pushing through) I have

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given

given Captain Harwood directions to land his guns, ammunition, provisions, &c.

The King's-fisher landed two of her guns, some ammunition, and all her provisions; but on the two French frigates of 36 guns each getting under weigh, and standing towards her, Captain Christian thought proper to set the King's-fisher on fire, as he did the galleys, about two o'clock on the 30th instant.

Having neither seen or heard any thing of the Sphynx, since her sailing to cruize between this port and Block Island, as mentioned in my letter of the 27th instant, I am in hopes she has discovered the French fleet, and proceeded to join your Lordship.

July 30. In the morning about six o'clock, a French ship of two decks ran up the Naraganzet Passage; the batteries on Fox-hill fired at her and hulled her (as I am informed) three times; she returned the fire, proceeded on, and anchored off the north end of Conanicut. In the evening another ship of two decks ran up.

July 31. At day-break the two ships of the line in the Naraganzet Passage were observed turning down, and about nine o'clock anchored, the ebb tide being done. The fleet without were under weigh all night, but anchored again about eleven o'clock, in their former situation. The frigates in the Seconnet Passage still remain in the same situation.

On the determination of General Sir Robert Pigot to defend the south part of the island, in case of an attack, and draw his force into as small a body as possible; in which case, the guns, provisions, &c. landed from the advanced ships, must necessarily have fallen into the enemy's hands, I have directed, (agreeable to his desire) the Captains Smith, Dalrymple, Hudson, and Symons, to use the utmost dispatch in getting on board their guns, provisions, &c. and to

join me in the inner harbour, without a moment's loss of time: I have the pleasure to acquaint your Lordship, they are as forward as time will permit; and if the wind is northerly, I am in great hopes will join me to-morrow.

I have prepared some small vessels with combustibles to act against the enemy, if there should be the least probability of their succeeding.

As I think it of the utmost importance your Lordship should be acquainted with our situation, I have sent this by a good rowing boat, dispatched by Major-general Sir Robert Pigot, and by a person in whom he reposes an entire confidence.

I shall give your Lordship every intelligence in my power, from time to time, relative to the enemy's ships, and situation of this place.

I have the honour to be with the great respect,

My Lord,

Your Lordship's most obedient  
humble servant,

J. BRISBANE.

*Copy of a letter from Captain BRISBANE to the Viscount HOWE, dated Flora, Newport, August 2, 1778.*

My Lord,

Since my last of the 29th of July, in which is contained the proceedings of the ships until the 31st, on the 2d of August in the morning, the following intelligence was received and communicated to me by Major-general Sir Robert Pigot: that the enemy mean to make three different landings, one from Bristol, to the north end of the island; second from Seconnet shore; third from the ships; and another body to be assembled at Conanicut: the two first embarkations they report will be 15,000 men; the latter 10,000. General Arnold is on board the fleet, and the French General La Fayette: three brigades are arrived at Providence, Glover's, Vernon's, and Poon's: the French fleet are to come into the harbour, and

and to garrison Conanicut, and fortify the Dumplings. Wednesday or Thursday they intend every thing shall be ready; they have mortars as well as artillery; most of the militia came as volunteers; but the General acquaints me, the character of the person who brought this is very doubtful, and his accounts in general exaggerated.

The seamen belonging to the King's-fisher and galleys are disposed of to the different batteries; and the fire vessels got out of the south end of Goat Island, under the care of Lieutenant Stanhope, of the Pigot galley.

The Orpheus, Lark and Cerberus are come down and anchored; the two former in the inner harbour, and the latter between Pest Island and Blue Rocks to guard that passage.

The transports are all hauled to the wharfs, and prepared to scuttle and cut away their masts.

The General desired the Juno might remain in Coddington Cove, as her guns are wanted for batteries near that place.

Two French ships of the line still remain in Narraganzet; two frigates in the Seconnet; the remainder of the fleet without, off the harbour's mouth, with a number of small craft constantly cruising backwards and forwards.

I have dispatched this by Mr. Jones, late master of the King's-fisher, who has offered his service to proceed in a whale-boat from Sachuest Beach, in order, if possible, to avoid the vigilance of the enemy's cruisers.

I have the honour to be,  
with great regard,  
your Lordship's most obedient  
humble servant,

J. BRISBANE.

The French fleet are anchored between Church Point, which forms the west end of Easton's Beach and Brenton's Ledge, without any form, the southernmost five miles from the land.

*Copy of letter from Captain BRISBANE to the Viscount HOWE, dated Flora, Newport, August 3, 1778.*

My Lord,

I have just now the honour of both your Lordship's letters of the 29th and 30th of July, by Messrs. Furnival and Jann, who arrived within two hours of each other; and beg leave to acquaint you, the force under my direction has been employed, from time to time, as the General has desired; and was drawn into the inner harbour, except the Cerberus, who was lying between Pest Island and the Blue Rocks to stop that passage: but on receiving your Lordship's dispatches, they have proceeded up the Middle Channel again; the Lark off Arnold's Point; the Orpheus off Dyer's Island; the Cerberus below it, agreeable to the General's desire.

As to the time the garrison may be able to sustain the attempts of the enemy, is, the General says, very uncertain, and depends upon the numbers they throw in. With respect to the nature of their hostile operations, there are two ships of the line up the Naraganzet Passage; two frigates, a large brig, and two sloops in the Seconnet; the rest, consisting of ten fail of the line, and one frigate, are still at anchor without any form, between Church's Point (which forms the west side of Easton's Breach) and Brenton's Reef; the southernmost at about five miles distance from the island: the other frigate is supposing to be cruising off Montock Point.

This morning I caused five transports to be sunk in the passage between Goat Island and the Blue Rocks, to prevent the approach of the enemy too near the north battery, so as to attack it with advantage. And five more transports are proceeding out, in order to be sunk between Goat Island and Rose Island for the same purpose.

The moment I am convinced your Lordship is off, I will use every possible

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ble means to get a boat with an officer to you.

Messrs. Furnival and Jann were both chased by the small vessels; the former escaped and got his sloop in; the latter ran on shore on Easton's Beach.

I think it proper to acquaint your Lordship, the following is the signal settled between General Clinton and General Pigot:

If an English fleet appears off, the enemy being in the port, you are to hoist on English red ensign on Beaver's Tail; if not in possession of that ground, on Castle Point.

I have dispatched this by Mr. Jann, in a whale-boat to your Lordship.

I have the honour to be,  
with great respect,  
your Lordship's most obedient  
humble servant,

J. BRISBANE.

It is impossible at present, the winds hanging so much to the southward, for a sailing vessel to get out; and the mouth of the harbour so vigilantly guarded; but should there be any opportunity, I shall embrace it, and dispatch Furnival.

J. B.

*Copy of a letter from Captain BRISBANE to the Viscount HOWE, dated Newport, Rhode Island, August 9, 1778.*

My Lord,

The moment a fleet appeared, which I had every reason to suppose was your Lordship's, I dispatched Lieutenant Saumarez, who was on the spot, to give you the earliest account of our situation.

Captain Harwood will acquaint your Lordship particularly of every thing you may wish to be acquainted with.

The Toulon fleet, under the command of the Count d'Estaing, entered this harbour yesterday afternoon, about four o'clock, under a very heavy and smart fire from the batte-

ries at Brenton's Point, Goat Island, and north end of the town; which they passed, and are now at an anchor between Goat Island and Conanicut, pretty close to the shore: the Admiral is about three quarters of a mile to the southward of Gould Island, and the rest of the ships, consisting of ten sail of the line, in a line ahead towards the north end of Conanicut.

There are two sail of the line in the Naraganzet Passage, and two frigates in the Seconnet Passage.

They have been landing men on Conanicut from the ships all this morning, I suppose with an intent to throw up batteries; but are now taking them off.

I have the honour to be,  
with great respect,  
your Lordship's  
most obedient humble servant,

J. BRISBANE.

The frigates being all destroyed, and a number of the transports sunk, the seamen belonging to them shall be ready to attend your Lordship, wherever you shall please to order them. Likewise the surgeons of the different frigates are in waiting to receive your Lordship's directions.

J. BRISBANE.

I have sent your Lordship pilots for the Seconnet Passage, as well as the middle.

*I sit, off Sandy Hook, Aug. 18, 1778.*

My Lord,

I beg leave to acquaint you, that on Sunday last the 10th instant, about four o'clock in the afternoon, on my return to New-York, after having been separated from your Lordship by the late gale of wind, Sandy Hook then bearing W. by N. distance twenty leagues, we fell in with a French ship of 74 guns, with whom an action commenced, which lasted one hour and an half; at the expiration of which time, the French ship put before the wind, leaving us in a situation, by the damage to our masts and rigging, that disabled us from pursuing her: the

the French ship having a flag at her main-top-mast head, I judged it to be a Rear-Admiral.

The *Isis* has suffered much in her masts, yards, sails, and rigging; but, I have the pleasure to inform your Lordship very little in the hull; and had one man killed and fifteen wounded in the action.

I cannot too much express my great satisfaction at the conduct and bravery of the officers and seamen belonging to the ship; the volunteer seamen from the transports, commanded by the agent Lieutenant Robert Parry; and the light infantry company of the 23d regiment under Captain Smith. I am at the same time to acknowledge my obligations for the benefit I derived from the assistance of Captain Furneaux, late commander of the *Syren*; and the example of the Marquis of Lindsey, his Lordship and Captain Furneaux doing me the honor to embark as volunteers in the *Isis*, when we failed last from this port.

I am, with the greatest respect,  
your Lordship's most obedient  
humble servant,

JOHN RAYNOR.

*The Viscount Howe.*

*Eagle, off Sandy Hook, Aug. 18. 1778.*

The packet which I found waiting to put to sea with the General's dispatches not being yet sailed, I have opportunity to acquaint you, for the information of the Lords Commissioners of the Admiralty, that the *Monmouth* anchored this morning off of the Hook. Captain Collingwood parted from Vice-Admiral Byron the 4th of last month, in the gale of wind which separated the *Cornwall* from the Vice-Admiral, as related in my former dispatch.

The main-mast of the *Monmouth* appears to have been sprung on the passage; and, for want of a proper main-top-mast to replace the two which were rendered unseviceable

on the voyage, a fore top-mast was been substituted. It is yet hoped the defect in the main-mast may be assisted by proper expedients for the present use.

*Eagle, off Sandy Hook, August 24, 1778.*

I have opportunity, in addition to the contents of my other dispatches by the *Eagle* packet, to let you know I have received advice, from the different frigates sent towards Rhode Island, that eleven sail, including the two dismasted ships, of the French squadron, arrived and anchored without the harbour of Rhode Island in the evening of the 20th; in which situation they were left late on the 21st.

The disabled ships, the *Isis* excepted, are now so nearly completed, that I am moving over the bar, and propose putting to sea with the rest of the squadron to-day; for affording such assistance to the garrison of Newport as circumstances may admit.

*Eagle at sea, August 25, 1778.*

I have this moment received intelligence that the French squadron put to sea from before the port of Rhode Island, on the 22d in the morning, before break of day.

Judging the enemy's destination may be for Boston, I shall proceed to pass within the shoals of George's Bank, for endeavouring to intercept them on their suspected route.

*Eagle, off New-York, September 12, 1778.*

Sir,

By the *Eagle* packet I transmitted an account of my proceedings with the squadron assembled at New-York, until the time the ships were refitted, and in a condition to put to sea again, in quest of the Toulon squadron, then returned off Rhode Island. I had an opportunity, by the same conveyance, to acquaint you, for the Lords Commissioners further information, that upon receiving intelligence, on the 23th past, of a subsequent

quent movement of the enemy, who had quitted Rhode Island the 22d, I directed my course immediately for Boston, where I concluded they would repair to refit their disabled ships. The duplicates of those dispatches are forwarded herewith.

Entering Boston bay the 30th, I found the enemy had preceded me in their arrival, probably but a very short time, and were already in the port.

Meaning to view their position the next morning, I was prevented therein by the misfortune to the St. Alban's of being run on shore when putting in stays during the night, very near the point of Cape Cod, where the great depth of water adjacent to the beach afforded little previous notice of the danger. The weather proving very temperate in the mean time, the ship was got afloat again before the ensuing night, without apparent damage, or other loss besides the two bower anchors, which it was necessary to cut away for lightning the ship, and, being dropt close in to the shore, they could not be recovered by any means the time would admit of having then attempted.

The stores and other furniture taken out for relieving the ship being replaced next morning, I proceeded on, with the wind in the south-west quarter towards Boston; and arrived off the entrance of the port, in the evening of the 1st instant.

The position of the enemy's ships advanced farther within the port since the evening of the 30th, and covered by the works constructed on the points of the shore, adjacent to the anchorage in the Nantasket road and channel, indicating their intended stay there; and deeming every attempt against them ineligible in that situation, I no longer postponed my return to the southward, for affording the assistance which might be adjudged expedient to co-operate in the General's measures, for the timely

succour of the garrison of Newport, and left the Boston coast the next morning.

On my approach to Rhode Island the 4th instant, I received notice that the rebel army had discontinued their operations against the garrison at Newport, consequent of the departure of the French Squadron, and evacuated the island entirely on the 30th past; the reinforcement conducted by Sir Henry Clinton from New-York arriving too late to join in the attack of the rebel force, before they had effected their retreat.

I met off of Rhode Island with the armament, destined by the Commander in Chief of the land forces, to make a descent on the coast, adjacent to the harbour of Bedford, the troops under the direction of Major-general Grey, and the transports with the frigates for their protection, conducted by Captain Fanshaw, of whose ability the Major-general expresses himself in terms of particular esteem on that occasion.

I remained off of Rhode Island in the mean time, and having received the report from Captain Fanshaw, intended to continue with the Squadron in that situation, until the transports were returned up Long Island Sound, on their course back to New-York. But the wind changing to the eastward in the morning of the 9th, and the appearance of the weather becoming very unfavourable, I stood to sea immediately, to disengage the ships of war from the hazardous intricacies of the navigation on that part of the coast. Commodore Hotham had been a few days before ordered into Rhode Island, with the Centurion, Preston, and St. Alban's, to take off the seamen and naval stores landed from the frigates destroyed when the French Squadron entered the harbour. And the crew of the Monmouth becoming very sickly, that ship was left early in the morning of the 9th, to proceed for New-York, before

before the alteration of the weather had induced me to quit the coast as before-mentioned.

Being forced to the southward, in consequence I proceeded when the weather moderated for Sandy-hook, and passed the bar yesterday.

The ships of Vice-admiral Byron's squadron named in the margin \* had got into this port with Rear-admiral Parker, the 29th past in a very impaired state, both with respect to their furniture and men. By an advice-boat I am informed from the Vice-admiral of his arrival at Halifax, and future intentions contained in the duplicate of his dispatch to you of the 27th past, left unsealed for my perusal, and forwarded herewith.

The aids which can be provided here, for putting those ships into the best state of service, are in progress with all the expedition the circumstances of the port will admit. And the greater part of the reinforcement assigned for this station being now arrived, I surrender to Rear-admiral Gambier the powers I have been furnished with by the Lords Commissioners to deliver to him, in case my state of health should no longer permit me to retain the direction of the naval department on this station, to be exercised by him in the absence of a superior officer.

Under such necessity, I propose returning to England as soon as I have collected the several particulars respecting the state of the fleet, which I conceive will be requisite for their Lordships earliest information.

Vice-admiral Byron remarking, in the report of his proceedings, that he did not meet with any cruisers from the fleet, before nor after he discovered the French squadron, I am to observe, that the Centurion, Daphne, Maidstone, and Senegal, were nevertheless then at sea, stationed from fifteen to thirty leagues S. E. from

Sandy-hook, expressly for the purpose to which he alludes. An equal number of ships had been also placed on the route to Halifax, where (previous to the junction of the Cornwall) I was only prepared to expect his arrival, according to the tenor of his orders communicated in your letters of the 2d of May, and 5th of the succeeding month.

The Senegal has been since missing, together with the Thunder bomb, which was prevented from getting into New-York by the gale of wind which commenced on the 11th of August, though previously arrived off the entrance of the port; and they are both said to be since taken by the enemy, on the passage of the French squadron from the Delaware back to Rhode-island.

The former dispatches having been forwarded by a more uncertain conveyance, I have judged the early communication of the present advices to merit the special appointment of a frigate for the care of them, and ordered the Apollo on that service.  
*Garysfort, off Bedford, Sept. 6, 1778.*

My Lord,

I enclose to your Lordship a copy of Rear-admiral Gambier's order to proceed with a detachment of ships and transports, and assist in such services as his Excellency Sir H. Clinton, or Major-general Grey, should propose.

Last evening the fleet came before Bedford harbour. I send to your Lordship an outline sketch of the scene of operation, the plan for the execution of the naval part, with minutes of the manner in which it was performed.

I am informed that the army in its progress destroyed all the stores, wharfs, and shipping at them; two or three sloops only, by being on float, escaped the flames. No part of the town seems to be destroyed, except

\* Royal Oak, Conqueror, Fame, Sultan, Bedford, and Grafton.



such houses whose vicinity to the wharfs and storehouses made their preservation impossible at such time.

It is with very great pleasure I hear that the army has had very little loss. The enemy not expecting an attack, was not prepared to resist.

I cannot particularize the damage done; but by the appearance of shipping before dark, and the conflagration, I suppose it must be very great.

Every thing is now reembarked, and as the wind is southerly, all the ships and vessels are preparing to warp out of the Bay, in order to proceed to Martha's Vineyard, conformable to a requisition this instant made by Major-general Grey, to procure a supply of cattle: but as we have not with the fleet a sufficiency of empty vessels to contain them, I am under the necessity of weakening the detachment, by sending, according to General Grey's desire, and my orders from Rear-admiral Gambier, the Diligent brig to Rhode-Island, for vessels to receive the cattle, and afterwards to New-York with the General's letters.

What further employment is intended for the ships and transports with me, has not yet been disclosed to me. I am, my Lord,

Your Lordship's most obedient,  
and most humble servant,

ROBERT FANSHAWE.

P. S. Prisoners report 70 sail destroyed, of which eight were large ships laden, and four privateers; great quantities of canvas, cordage, pitch, turpentine, tobacco, coffee, &c.

*Admiralty-Office, Oct. 27, 1778.*

A letter was yesterday received from Lord Viscount Howe, giving an account of his arrival at St. Helen's, in his Majesty's ship the Eagle, on the 25th instant, having touched at Rhode-island, from whence his Lordship put to sea the 26th ult. on his return to England.

*Admiralty-Office, October 27, 1778.*  
*Extract of a letter from Rear-admiral Sir PETER PARKER, Commander in Chief of his Majesty's ships at Jamaica, to Mr. STEPHENS, dated at Port Royal, the 27th of July, 1778.*

I feel great satisfaction in transmitting to their Lordships a letter, dated the 11th instant, signed by Captain Rainier, of his Majesty's sloop the Ostrich: the great disproportion between the Ostrich and the privateer she has taken, notwithstanding the assistance which she received from the Lowestoffe's prize, will mark the conduct and character of Captain Rainier, and reflect the greatest honour on himself, his officers and crew.

Since my last account of the 21st of June, twelve prizes and re-captures have been brought into this port by his Majesty's ships.

*Ostrich, Montego Bay, July 11, 1778.*

Sir,

I beg leave to inform you, that on Wednesday the 8th instant, his Majesty's armed brig Lowestoffe's prize, being in sight, though far astern, stretching in with the land off Savannah Point, I saw an armed brig, which proved to be a French privateer of 16 carriage guns, six and nine-pounders, 23 swivels, and 8 co-horns in the tops; as we have not been able to find her rôle d'équipage, the accounts of her complement are as irregular as from 110 to 170 men; her killed and wounded are consequently as uncertain; but the Midshipman that went from this to take charge of her, threw twenty-three over-board, and several were seen to be thrown over-board in the course of the action, which began at three and ended at six. Mr. O'Bryen and myself were wounded nearly the same time, and the master killed: my loss of blood and excessive pain disabled me from any further service; but

I did

I did not suffer myself to be carried any lower than the cabin. The action continued with great spirit; on an explosion of some cartridges upon deck, I heard the cry of "Haul down the colours:" I beckoned to the people, that were at their quarters near me, to run upon deck, and let them know it was my orders, if the colours had been struck purposely, to hoist them again; or, if that was impracticable, to spread them on the quarter, which was immediately complied with. About half an hour before she struck, the Lowestoffe's prize came up, and began to engage; which no doubt hastened the stripes down, as it infused fresh spirits into our people, and depressed those of the enemy. As it was but a light breeze, it prevented the brig from coming up before. We had 4 killed on the spot, 28 wounded, 2 of which are since dead; and we have now 65 men and boys out of the list. I am going ashore, as also Mr. O'Bryen, for the more speedy recovery of our health, by the surgeon's advice. My wound is a musket ball through and through the left breast; fortunately has not touched any bone; but it continues still to deprive me of use; Mr. O'Bryen's is in the throat. I had given him orders to board; but on account of the narrowness of the fore-castle fore and aftwise, we could not mount sufficient men to support them; here we suffered most; and what was still more unfortunate, the prime of our men. Her name is the Polly, under an American commission; but I find the property has been changed to French; so that I suppose them to be no better than pirates. The Commander of her was killed; and I have but a very confused account of the number and nation of her officers. She is from Port au Prince on Boston, with a quantity of molasses on board; the Supercargo Paul de Verge is now before me, and gives a strange account of his total ignorance of the

Captain's commission.—I am afraid it will be a fortnight or three weeks before either Mr. O'Bryen or myself shall be fit to get on board again; and our masts and yards are too much damaged to go a cruize with. I intend to send the prize round to Port Royal, under the convoy of the Lowestoffe's prize, as soon as she can be got ready; which I hope will meet with your approbation. I have landed the people who are badly wounded.

I am, Sir,

Your most obedient servant,

PETER RAINIER.

To Sir Peter Parker, *Knt.*

Rear-admiral of the Red, &c.

N. B. The Ostrich had 14 four-pounder guns; and her complement of men was 110. [*Gazette.*]

*Extract of a letter from Quebec, Aug. 25.*

"Every thing is quiet in this country. The Indians have been ravaging the back settlements of Connecticut and New-York provinces. We hear they have destroyed above 1000 families, and scalped the whole of them: they have brought fifteen prisoners into this province: they had at first 25, but had roasted and eaten ten of them in the woods at their war-feast. I heartily wish they had your Commissioners in their bellies, could that be the means of bringing about a reconciliation.—There are from 800 to 1000 of these savages now out, murdering the people on the back of Pennsylvania and Virginia. We hear from some far Indians who have come in, that there is a war in Hudson's Bay, but their tale is so unconnected, we can make nothing of it. The Gulf of St. Lawrence has been full of privateers all summer: they have taken several prizes."

*Poughkeepsie, July 20.*

Since our last many of the distressed refugees from the Wyoming settlement on the Susquehannah, who

escaped the general massacre of the inhabitants, have passed this way, from whom we have collected the following account, viz.

Previous to the narrative, it may be necessary to inform some of our readers, that this settlement was made by the people of Connecticut, on a grant of lands purchased by the inhabitants of that colony, under sanction of the government, of the Indian proprietors; and that these lands falling within the limits of the Pennsylvania claim, a *dispute* concerning the right, has arisen, between the two governments, and proceeded to frequent acts of hostility. When it was at a height that threatened the disturbance of the other governments, Congress interposed, by whose recommendation and authority the decision of the dispute was suspended, till that with Great Britain, equally interesting to every American State, was concluded, when there might be more leisure to attend to the other, and consider the justice of each claim.

On this footing the dispute has lain dormant for two or three years; the inhabitants lived happily, and the settlements increased, consisting of eight townships, viz. Lackewana, Exeter, Kingston, Wilkesborough, Plymouth, Nanticoak, Huntington, and Salem, each containing five miles square. The six lower townships were pretty full of inhabitants, the two upper ones had comparatively but few, thinly scattered. The lands are exceeding good, beautifully situated along both sides of the Susquehannah, navigable for flat-bottomed boats, and produced immense quantities of grain of all sorts, roots, fruits, hemp, flax, &c. and stock of all kinds in abundance. The settlement had lately supplied the Continental army with 3000 bushels of grain, and the ground was loaded with the most promising crops of every kind. The settlement included upwards of a

thousand families, which had furnished our army with a thousand soldiers, besides the garrison of four forts, in the townships of Lackewana, Exeter, Kingston, and Wilkesborough. One of these forts was garrisoned by upwards of four hundred soldiers, chiefly of the militia, the principal officers in which were Colonels Dennison, and Zebulon Butler.

The Tories and Indians had given some disturbance to these settlements last year, before General Harkner's battle at Oneida-creek, near Fort Stanwix, and our skirmishes soon after with parties of the enemy at and near Scholiary, when they were dispersed, and the Tories concealed themselves among our different settlements; the people remained here undisturbed during the rest of the year.

About this time the inhabitants having discovered that many of these villainous Tories, who had stirred up the Indians, and been with them in fighting against us, were within the settlements, 27 of them were, in January last, taken up and secured. Of these 18 were sent to Connecticut, the rest, after being detained some time, and examined, were for want of sufficient evidence set at liberty; they immediately joined the enemy, and became active in raising in the Indians a spirit of hostility against us. This disposition soon after began to appear, in the behaviour of the Tories and Indians, which gave the people apprehensions of danger, and occasioned some preparations for defence.

The people had frequent intimation that the Indians had some mischievous design against them, but their fears were somewhat abated by the seeming solicitude of the Indians to preserve peace; they sent down at different times, several parties with declarations of their peaceable disposition towards us, and to request the like on our part towards them. They

They were always dismissed with assurances, that there was no design to disturb them. But one of those Indians getting drunk, said, he and the other messengers, were only sent to amuse the people in the settlement, but that the Indians intended as soon as they were in order, to attack them. On this the Indian men were confined, and the women sent back with a flag. In March, appearances became more alarming, and the scattered families settled for thirty miles up the river, were collecting and brought into the more populous parts. In April and May, strolling parties of Indians and Tories, about 30 and under in a company, made frequent incursions into the settlement, robbing and plundering the inhabitants, of provision, grain and live stock. In June, several persons being at work on a farm, from which the Tory inhabitants had gone to the enemy, were attacked, and one man of them killed; soon after, a woman (wife of one of the 27 Tories before-mentioned) was killed, with her five children, by a party of these Tories and Indians, who plundered the house of every thing they could take away, and destroyed the rest.

On the 1st instant (July) the whole body of the enemy, consisting, it is supposed of near 1600, (about 300 of whom were thought to be Indians, under their own Chiefs, the rest Tories painted like them, except their officers, who were dressed like regulars) the whole under the command of Colonel John Butler, (a Connecticut Tory, and cousin to Colonel Zebulon Butler, the second in command in the settlement) came down near the upper fort, but concealed the greatest part of their number; here they had a skirmish with the inhabitants, who took and killed two Indians, and lost ten of their own men, three of whom they afterwards

found, killed, scalped, and mangled in the most inhuman manner.

*Thursday, July 2.* The enemy appeared on the mountains, back of Kingston, where the women and children then fled into the fort. Most of the garrison of Exeter fort were Tories, who treacherously gave it up to the enemy. The same night, after a little resistance, they took Lackewana fort, killed Squire Jenkins and his family, with several others, in a barbarous manner, and made prisoners of most of the women and children; a small number only escaped.

*Friday, July 3.* This morning Colonel Zebulon Butler, leaving a small number to guard the fort (Wilkesborough) crossed the river with about 400 men, and marched into Kingston fort. The enemy sent in a flag, demanding a surrender of the fort in two hours. Colonel Butler answered he should not surrender, but was ready to receive them. They sent in a second flag demanding an immediate surrender, otherwise the fort should be stormed, plundered and burnt, with all its contents, in a few hours—and said that they had with them 300 men. Colonel Zebulon Butler proposed a parley, which being agreed to, a place in Kingston was appointed for the meeting, to which Colonel Zebulon Butler repaired with 400 men, well armed; but finding no body there, he proceeded to the foot of the mountain, where at a distance he saw a flag, which as he advanced, retired, as if afraid, twenty or thirty rods; he following, was led into an ambush, and partly surrounded by the enemy, who suddenly rose and fired upon them. Notwithstanding the great disproportion of 1600 to 400, he and his men bravely stood and returned the fire for three quarters of an hour, with such briskness and resolution, that the enemy began to give way, and were upon the point

of

of retiring—when one of Colonel Zebulon Butler's men, either through treachery or cowardice, cried out that the Colonel ordered a retreat—This caused a cessation of their fire, threw them into confusion, and a total route ensued. The greatest part fled to the river, which they endeavoured to pass, to Fort Wilkesborough, the enemy pursued with the fury of devils, many were lost or killed in the river, and no more than about 70, some of whom were wounded, escaped to Wilkesborough.

*Saturday morning, July 4.* The enemy sent 196 scalps into Fort Kingston, which they invested on the land side, and kept up a continual fire upon it.

This evening Colonel Zebulon Butler, with his family, quitted the fort, and went down the river.

Colonel Nathan Dennison went, with a flag, to Exeter fort, to know of Colonel John Butler what terms he would grant on a surrender. Butler answered, *the hatchet*. Colonel Dennison returned to Fort Kingston, which he defended till Sunday morning, when his men being nearly all killed or wounded, he could hold out no longer, and was obliged to surrender at discretion. The enemy took away some of the unhappy prisoners, and shutting up the rest in the houses, set fire to them, and they were all consumed together. These infernals then crossed the river to Fort Wilkesborough, which in a few minutes surrendered at discretion. About 70 of the men, who had enlisted in the Continental service to defend the frontiers, they inhumanly butchered, with every circumstance of horrid cruelty; and then shutting up the rest, with the women and children, in the houses, they set fire to them, and they all perished together in the flames.

After burning all the buildings in the fort, they proceeded to the de-

struction of every building and improvement (except what belonged to some Tories) that come within their reach, on all these flourishing settlements, which they have rendered a scene of desolation and horror, almost beyond description; parallel, of credibility; and were not the facts attested by numbers of the unhappy sufferers, from different quarters of the settlement, and unconnected with each other, it would be impossible to believe that human nature could be capable of such prodigious enormity.

When these miscreants had destroyed the other improvements, they proceeded to destroy the crops on the ground, letting in the cattle and horses to the corn, and cutting up as much as they could, or what was left. Great numbers of the cattle they shot and destroyed; and cutting out the tongues of many others, left them to perish in misery.

The course of these truly diabolical proceedings, was marked by many particular acts of distinguished enormity, among which were the following, viz.

The Captains James Bedlock, Robert Durgee, and Samuel Ranfon, being made prisoners by the enemy, they stripped Capt. Bedlock, tied him to a tree, and stuck him full of sharp splinters of pine knots, then piling a heap of pine knots round him, they set all on fire, put Durgee and Ranfon into the fire, and held them down with pitch forks.

Thomas Hill, (whose father was killed by the Indians last Indian war) with his own hands killed his own mother, his father-in-law, his sisters and their families.

Partial Terry, the son of a man who bore a very respectable character, had several times sent his father word, that he hoped to wash his hands in his heart's blood. Agreeable to such a horrid declaration, the monster, with his own hand murdered his father,

father, mother, brothers and sisters, stripped off their scalps, and cut off his father's head.

Colonel Dennison was seen surrounded by the enemy, and was doubtless murdered, Colonel Zebulon Butler is supposed to be the only officer who escaped.

It is said he had several times written letters to the Congress and General Washington, acquainting them with the danger the settlement was in, and requesting assistance; but that he received no answer, except that *he had no cause to fear, since the Indians were all for peace, and quite averse to war.* However, he lately received a letter from Captain Spaulding, acquainting him, that neither the Congress nor General Washington had received any of his letters, which had been intercepted by the Pennsylvania Tories, who in all probability acted in concert with these execrable miscreants, against Wyoming. It is reported that these wretches, after compleating their horrid business at Wyoming, are going or gone to Cherry Valley, and the parts adjacent.

We hear that a party of infernals of the like kind, have within this week or two, infested the parts about Leghaweigh, near Rochester, on the Minisink road to Philadelphia, where a party of them, about 40 in number, have plundered and burnt several houses, abused some people, and carried off three men.—It is hoped speedy and effectual measures will be taken to punish and extirpate these monsters in human shape, from the face of the earth.

The distresses of the surviving inhabitants of that late flourishing settlement, are by their present circumstances, rendered such striking objects of charity, that withholding relief from them, by those who are able to afford it, argues a criminal obduracy, which deserves, and may be punished by distresses of a similar kind.

We are told that of the 1000 men in the Continental army, who went from that settlement, their number is by sickness and the cruel usage of the prisoners by the enemy, reduced to 400, who have now to lament the loss of their property, wives, children, and all that was dear to them in life! The helpless fugitives from the place, escaped with little more than their lives, they could bring no thing with them, or hardly cloathes to cover them, and nothing to eat; and many were two or three days without sustenance, and several pregnant women were delivered alone in the woods. This it is hoped will be the concluding scene of the tragedy acted by the \_\_\_\_\_ and his murderous diabolical emissaries, in a part of \_\_\_\_\_ late kingdom, which \_\_\_\_\_ forfeited, and which is now for ever departed from him.

[Among the many strange articles of expence for the employment of the Indians, as laid before the House of Commons, is a charge of one hundred and fifty thousand pounds, for tomahawks, scalping-knives, razors and spurs, for the Indians. It is extraordinary: razors, and spurs, for Indians! who have neither beards nor horses? It was, no doubt, a job.]

For the REMEMBRANCER.

*An answer to the letters and addresses of the Commissioners, by WILLIAM HENRY DRAYTON, Esq.*

[Published by order of Congress.]

To the Earl of CARLISLE, Sir HENRY CLINTON, Knight of the Bath, and WILLIAM EDEN, Esq.

Your Excellencies must be sensible, that it does not comport with the measures of Congress to make any observations upon your declaration of the 26th of August. But as it was evidently calculated for the people, I make no doubt you would be glad to know what effect it is likely to produce; and that your Excellencies may form some opinion, I take the liberty

liberty to shew you in what light it is considered by an individual: *Valeat quantum valere potest.*

I do not flatter myself that my observations upon your applications to Congress are very agreeable to you: however, I am in no degree discouraged from writing a third letter to your Excellencies. It seems the declaration of Congress on the 11th of August, drew forth yours of the 26th. The storm of military war has lost its violence; on your part it has spent itself: you now assail us with words. You are pleased "solemnly to declare," that you had not any knowledge, either directly or indirectly, of the letters and conversation alluded to in the declaration of Congress, until you saw them made public in the news-papers. This declaration related to your colleague, George Johnstone, Esq. nor did it charge your Excellencies with a *privity* to, or participation in his very exceptionable conduct. *Unaccused*, you have thought proper to endeavour to exculpate yourselves; a circumstance which strongly brings to my recollection a rule which Charles the First recommended to his favourite Strafford, as one that may serve for a statesman, courtier, or lover, "never to make a defence or apology before you are accused." Without doubt, your Excellencies will not be at a loss to comprehend the meaning of the Royal hint.—That you would *publicly* have assented to the construction Congress gave to Governor Johnstone's conduct, or that you would *intimate* a belief that any person was authorized to hold the conversation stated to have been held with Mr. Read, "to engage his interest to promote the object of your commission," was not expected. Neither was it imagined, that there was any obligation upon you, to vindicate Mr. Johnstone's "abilities and integrity." The first we never doubted, till we saw his declaration of the 26th of

August; the last, he himself, has not even attempted to vindicate; and I mark this as an instance of his prudence: it is laudable to point out merit wherever it is distinguished. On the other hand, it is also proper to observe the public shades of a public character. The Governor appears to have lost that calmness and circumspection so necessary in the profession of a Statesman. The declaration of Congress has precipitated him into an abuse, mistake, and contradiction. He censures Congress for *bowing* to a French Ambassador! Did his Britannic Majesty *never bow* to a French Ambassador? The Governor thinks "many individuals" of Congress "now entertain different sentiments" from those in the declaration of Congress: he is certainly mistaken; for I have heard every individual member declare, he considered him as no longer an enemy to corruption. I need only contrast these two ideas in his declaration, "The said George Johnstone for himself says, that he is far from considering the said resolution of Congress as *offensive* to him, that he rather receives it as a mark of distinction:" however, "he reserves to himself the liberty of publishing, if he shall judge proper, a justification of his conduct against the *aspersions* thrown on his character." This *unoffended*, yet *aspersed* Gentleman, who considers a resolution which *asperses* his character "as a mark of distinction," draughted his declaration *ad populum*, and with them I will leave it, that I may proceed to shew a proper respect to your Excellencies performance. Why do you tell the world you "were authorized to *restore* peace, to preserve the value and *promote* the credit of the paper circulation, to *give* satisfaction and security for ever on the subject of military establishments, and to extend every freedom to trade?" Your Excellencies sent to Congress copies of the instruments by which you were,

and by which only you are authorized. They were published, and the world has not yet forgot, that they only allow you to *heal*, not to *determine* upon any of those particulars. Nay, you are expressly prohibited, and it is declared your proceedings on those points shall not be of any validity, unless ratified by the British Parliament. Need I think, that every word you deliver is accurately weighed, and critically examined; and that consequential ideas naturally follow? And do you really think you have "offered every thing that is, or can be proposed by the French alliance?" I am to suspect that your Excellencies are inclined to pleafantry. Pardon me, if I introduce a serious idea; I will be short; nay, I will use but a single word. *Independence!* This is proposed by the alliance with France: this is not to be found in your offers. As you are astonished at one circumstance, I may be permitted to express a little surprize at another; it is at your assertion, that France "has ever shewn itself an enemy to all civil and religious liberty." I cannot suppose you are read in the histories of France, of Germany, and of the Low Countries, especially for the eighty years preceding the peace of Westphalia; and it is painful even to remark, that there is an alternative. The civil and religious liberties of Germany, and of the Seven United Provinces, found in the power of France a friend, and a guarantee; and the same power is now a friend and a guarantee to the civil and religious liberty of America. On the other hand, the power of England has been, and now is an enemy to civil and religious liberty. Witness the rejected petition of the Dissenters. Witness the reigns of Charles the Second and his successor. Witness the present time in Britain; the Stamp Act, the Quebec Bill, the cotemporary and subsequent outrages of laws

VOL. VII.

and arms respecting America. Your Excellencies ought to have looked at home before you ventured to cast your eyes and censures abroad. It is a favourite point with you, and you constantly press to have it established, that the offers of France "were made only in consequence of the plan of accommodation previously concerted by Great-Britain." And to prove this, you aver, first, that public intimation of the conciliatory propositions, on the part of Great-Britain, was given to the British Parliament, and consequently to the whole world, in the month of November last." Secondly, "that the preliminaries of a French treaty did not bear date earlier than the 16th of December. We will examine this subject. The terms in which the first point is couched, give an idea, that the intimation was pointed and public, and descriptive of the propositions, and that they were important in their nature. I wish your Excellencies had condescended to give us the terms in which the intimation was expressed, and the authority expressing them. Because from these lights we might have seen whether the propositions were, or, if you please, the intimation was, of sufficient weight to affect, change, and give a ton to the measures of the Court of France. The evidence was in your hands; you have not thought proper to lay it before us; and, no doubt, you have reasons for the suppression. However, as my object is truth, I shall endeavour to supply the evidence that you have withheld. The late session of the British Parliament began on the 20th day of November last. On the 21st, your House of Lords presented their address to your Sovereign, in answer to his speech. In that they say, "We cannot but applaud your Majesty's unwearied vigilance and wisdom in recommending to us, to prepare at all events for such

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such further operations as the contingencies of the war, and the obstinacy of the rebels may render expedient. We thankfully receive your Majesty's declaration of perseverance in the measures now pursuing for the re-establishment of a just and constitutional subordination through the several parts of your Majesty's dominions." On the 22d of November, your House of Commons also presented their address in answer to the speech; nor does this address contain any thing repugnant to the other; nor can it be denied, that these addresses are always mere echoes to the speech, and that the three flow from the Ministers. Thus, at one view, we have the public and joint sense of the Ministers, King, Lords and Commons of Great-Britain. It is sufficient here to observe, that sense was a perseverance in military coercion, not a change to "conciliatory propositions." This "public intimation given to the British Parliament, and consequently to the whole world, in November last," of the public measures to be pursued, perhaps, may not be *that* public intimation to which your Excellencies allude.

Well, I am not tired in my research after truth. I will make another attempt. I hope your Excellencies will patiently attend, while I endeavour to discover the intimation you mean, and whether it was in its nature such, as, *ipso facto*, made a mere nullity of the declaration from the Throne, couched by the Ministers, and approved by the Houses of Parliament. On the 17th of February last, Lord North made a decisive speech in the House of Commons. This states what he said in November relative to terms that might be offered to America; and it is probable this may be the public intimation to which your Excellencies allude. This speech strikes my attention, because it not only states what

Lord North said on the 20th of November, but it demonstrates his conduct and the reason for it, from that time to the 17th of February. It was on this memorable day that Lord North declared himself in the following manner: "At the opening of the present session, the first day, during the debate upon the address to his Majesty, I told the House, that in my opinion terms might be made with the Colonies short of unconditional submission, and that the time of making them was the moment of victory." Here Lord North himself gives evidence of what he had said, and it must be deemed absolutely sufficient. Thus it undeniably appears, that on the 20th day of November, Lord North, speaking upon another subject, *en passant*, threw out a more speculative "proposition," the truth of which was self-evident: terms *might* be made in the moment of victory. His Lordship did not intimate, that he *would* offer terms, nay, that he *intended* to do so. And is this mere speculative proposition, "the conciliatory propositions on the part of Great-Britain," to which you so anxiously point! Already it appears lighter than a straw; you catch at it, but it is not capable of supporting you. Place this in one scale, —the public persevering declaration of the Ministers and the King on the same day, approved by the Houses of Parliament on the two following days; in the other scale suspend the balance. Of what weight is your public intimation? *Vox & preterea nihil*. Was it possible such a public intimation affected the counsels of France, and changed their very nature! It is too extravagant to be supposed.

But let us attend to the speech. "The time of making them was the moment of victory." I said this, thinking that the victory gained by Sir William Howe was more decisive than it really was, and ignorant of the disaster which had fallen on  
General

General Burgoyne's army." It appears then, terms *might* be offered in the moment of victory, and that on the 20th day of November, Lord North thought the moment *then* existed. The question is, what use did he make of that moment? Did he intimate that he *would* offer generous terms of conciliation? No! even terms short of unconditional submission? No! he only threw out a mere speculative idea, the truth of which no man could deny: but in this fancied moment of victory, *under his auspices*, the speech from the Throne made a "declaration," and the Houses of Parliament applauded the *declaration of perseverance* in the measures then pursuing to coerce America to an unconditional submission: and large supplies in men and money are immediately voted. It is true his Lordship very ingeniously intimated *en passant*, when on another subject, in what manner the moment of victory might be used; but, at the same time, he took care, that the Ministry *should demonstrate*, and the whole Legislature should declare, in what manner they were *resolved to use it*—to redouble the blows upon the party supposed to be then staggering under a late victory.

Lord North continued, "when the news of that melancholy event arrived, I was struck that the time of proposing terms was past; and that the first part to be done was the raising new levies, and a new force."—The point with me at present is, to ascertain a moment in which his Lordship thought "the time of proposing terms was past." It is notorious, that on the 14th of December Lord George Germain was obliged, for the first time, to inform the House of Commons (who were stunned at it) that he had received private accounts of that event; which I may call a glorious one: and I will therefore lay it down, that on that day Lord North

was of opinion. "the time of proposing terms was past" Thus we find, that from the first day of the session in November to the 4th of December a *perseverance* in coercive measures, new levies, and a new force were the declared objects of the British Government. Do not your Excellencies think it reasonable to conclude, that his Lordship continued in the same sentiments and measures for ten or twelve days? The contrary is not to be supposed. This allowance, then, brings us to the 16th of December, the day when the offers of France were formally made to the American Commissioners in Paris; a point of time when every public intimation that could be given of a perseverance in measures of coercion on the part of Great Britain, actually and clearly existed. You are pleased to say "the propositions to be made were occasionally a subject of discussion in Parliament during the whole interval between the 20th of January and the 17th of February; during which interval, and not before, France being informed of the liberal and extensive nature of the intended offers, thought it expedient to new model and enlarge her proposals." From hence these conclusions result: that on the 20th of January the propositions were yet to be made. That previous to that day they were *not made nor discussed*, nor the liberal and extensive nature of them *known* to France. Yet we have found that the offers of France were made on the 16th of December preceding! But say you "the concessions then made by France on the one hand, were so *un-satisfactory*, and the conditions required by America on the other so *exceptionable*, that the Commissioners of Congress did not think proper to proceed until they should be specially authorized." We will candidly consider every thing you offer. About the end of the year 1776, Congress made out the terms

terms of the treaties they were desirous of forming with France; and also instructions to their Commissioners, materially to relax, if necessary, in many important points from those terms: and the Commissioners received these terms and instructions long before they had occasion to make use of them. On the 16th of December last, when your conciliatory propositions, according to your own shewing, were neither made nor discussed, and consequently their "liberal and extensive nature" not known to France, Monf. Gerard, by order of his Most Christian Majesty, was determined to acknowledge our Independence, and make a treaty with us of amity and commerce. [See page 64.] That in this treaty no advantage would be taken of our present situation, to obtain terms from us which otherwise would not be convenient for us to agree to; his Majesty desiring that the treaty once made, should be durable, and our amity subsist for ever, which could not be expected if each nation did not find its interest in the continuance, as well as in the commencement of it. Having thus from the records stated the authorities of the Commissioners on the one hand, and the "concessions as you are pleased to term them then made by France" on the other, allow me to ask, whether these terms by France on the 16th of December last, could possibly be deemed "unsatisfactory"? And whether it is possible to suppose that the Commissioners having early in the year 1777 received instructions, by which they were "specially authorized" in case of necessity, to agree to unequal terms, "did not think proper to proceed" to agree to the terms of France on the 16th of December following, which were perfectly equal? The facts are, they had no occasion to wait for any special authority—they did not wait—the treaties were absolutely made

upon the *satisfactory* principles declared on the 16th of December. What then becomes of your assertion, that in the interval between the 20th of January and the 17th of February, eleven days after the treaties were actually signed, "France being informed of the liberal and extensive nature of the intended offers, thought it expedient to new model and enlarge her proposals"? I cannot avoid presenting to your attention another point of evidence against your favourite position, "that public intimation of the conciliatory propositions on the part of Great Britain, was given to the British Parliament, and consequently to the whole world, in the month of November last." And the point is this—on the 5th of February last Governor Johnstone, in the House of Commons, wrote a letter to a gentleman in Pennsylvania, and I have seen the original, in which is this paragraph; "I have had a hint, and have good reason to believe, a proposition will be made to Parliament in four or five days by Administration that may be a ground of reunion: I really do not know the particulars; nevertheless, as I learn some preliminaries have lately gone from France, I think it cannot be deemed unfriendly to either country to give you notice of this intended proposition, that you may in prudence do nothing hastily with a foreign power." Hence your Excellencies must admit, that your public intimation of the conciliatory propositions on the part of Great Britain, given to the British Parliament, and consequently to the whole world, in November, was not so public an intimation as to strike the attention even of Governor Johnstone, a Member of that Parliament, and then present. And that it was not till the 5th of February, the day before the signing the treaty of Paris, that he had even a hint and good reason to believe that a conciliatory proposition

proposition was to be made to America—a period when he even had not any knowledge of the particulars of it. The time of his receiving the hint is to be absolutely presumed from the place in which the letter was wrote, and the date it bore: and I will just add, it is violently to be presumed the proposition to be made, was to answer the same end for which the letter was expressly wrote, “that he might in prudence do nothing hastily with a foreign power.” Incontrovertable as these dates, facts, and arguments stand, I will not press their combined force upon your Excellencies: your sensibility is too great, and your feelings are too much awake, not to be sufficiently affected without my doing so.—I am not an ungenerous adversary; and to demonstrate this, I will for a moment admit your assertion, “that public intimation of the conciliatory propositions on the part of Great Britain, was given to the British Parliament in the month of November last.” And the nature of them now becomes a matter of important enquiry. Lord North has told us the propositions were only short of unconditional submission. The terms you offer are only short of Independence; and your Excellencies are sensible there is a vast difference between the two points. Will you excuse me if I ask the cause of it? You hesitate;—I will therefore endeavour to solve the question. The British Administration, at the adjournment of Parliament for the Christmas holidays, were moving heaven and earth for “the raising new levies and a new force, struck that the time of proposing terms was past.” The Parliament met again on the 20th of January; the Administration were then “struck that the time of proposing terms was returned; for France had offered her terms on the 16th of December preceding.” Conciliatory propositions were now

occasionally, for the first time, discussed in Parliament, though not even then made. Well, the treaty of Paris was signed on the 6th of February; the time for proposing the British terms now pressed; on the 17th of the same month, Lord North “formally stated” them; and as soon as possible afterwards, you on the part of Great Britain offered terms only short of Independence; and immediately after, on the 11th of July, you offered “to enlarge” those terms. In a word, the Courts of France and Great-Britain were set down to a game of chess. On the 20th of November, the game was to be carried on by Great-Britain on this principle, *perseverance* in coercive measures: by France the principle was a *decisive stroke*. Britain declared her principle—France did not. Upon these principles, France made the first move; she moved *equal terms* on the 16th of December. Before Britain could have advice of this, she was engaged at the Christmas feast; but that being ended on the 20th of January, knowing the step France had made, she was “struck,” she must abandon her principles of *perseverance*, and she immediately moved the *discussion* of conciliatory propositions. France, upon her principle of a *decisive stroke*, on the 6th of February moved, *the treaty of Paris*. Britain soon heard of this, and on the 17th of the same month, she moved the *formal state* of conciliatory propositions. The game of chess can be as easily played when the players are at a distance, as when they are present; the whole difference in the two cases consists in the space of time necessary for playing the game. Already France seems to have reduced Britain to a *state of consideration*, whether she must give up the game as too desperate to be recovered. From this plain figure, it is demonstrated, that the motions of France caused the vast difference between

between terms but short of unconditional submission, and terms only short of Independence. Governor Johnstone, in his declaration of the 26th of August, is pleased to reproach Congress for allying with France, "after all their just claims are gratified." Your Excellencies ordered the transmission of this reproach: you are thereby parties in making it: and therefore, I am justified in taking some notice of it to you. In consequence of the offers you have made, you say all our just claims are gratified. You then admit, that when you began the war, we had just claims. You must admit, that notwithstanding our most humble petition in behalf of our just claims, you refused to grant those claims. You must also admit, that for three years you have by force of arms, and all the horrors of war, endeavoured to reduce us to unconditional submission, notwithstanding we had just claims. Upon these points then there is no mistake nor doubt, nor can there be any upon these.

The just claims of America ought to have been granted when they were stated, and you were desired to give redress. You denied us common justice, by refusing to give redress upon those just claims. You enormously added to that injustice, by letting loose upon us all the calamities of war, to oblige us to abandon those our just claims; and we have now a just claim to receive satisfaction for all the damage which we, through your injustice, have received, in supporting our just claims. Your injustice has ruined thousands of families. You have unjustly burned our towns, and ravaged our country. Fathers, mothers, brothers and friends, mourn the loss of their children, brothers and friends, by your injustice, slain in the field of battle, scalped in their peaceable dwellings, murdered in your horrible prisons. America, by your injustice, has lost thousands of

her best citizens, and has been obliged to expend millions of her treasure. Nor is the loss her youth here sustained, by your injustice, the loss of those important years for the improvement of their understandings, which they can never regain, the least loss she has sustained.—Look at this short list of damages, and say whether you have ever offered to gratify America in all her just claims! Say, is it in the nature of things possible for you to gratify America in all her just claims! There was a time when you might easily have done so: you threw it away; you must be "struck that the time of proposing terms is past" never to return. Your Excellencies wish to move our gratitude. You speak of your conciliatory propositions as the "generous measures of Great Britain." Your Excellencies are rather unfortunate in the means you use to touch the passions. Louis the XVIth, the *Protector* of the rights of mankind, has some title to speak of the generous measures of France—generous, because just and noble. He magnanimously declared, that in forming a treaty with us, he did "not pretend that he acted wholly for our sakes, since, besides his real goodwill to us and to our cause, it was manifestly the interest of France, that the power of England should be diminished by our separation from it." But can Britain say, her offers proceeds from "real good will to us and to our cause?" Can she say, she wished "to promote and establish the liberties, peace, opulence, increase, security, and permanent happiness of the inhabitants of this continent?" No! her whole system of government, since the year 1763, has operated—her laws have been enacted—her arms have been used for the very contrary purposes. Her Ministers and Parliaments have long oppressed, in order to plunder us. When we were unarmed, she ungenerously drew her sword upon us. She treated our most

most humble petition for "peace, liberty, and safety," with silent contempt. Her Minister, Lord North, declared he was fighting for substantial revenue; he would lay America prostrate, and drag her to his feet. In the ideal "moment of victory," her ministers and legislature declared, they would redouble their blows upon America, supposed to be staggering under a late victory. Her veterans unjustly burned our towns, ravaged our country, and slaughtered our citizens. She set loose her Indian allies to massacre the maimed, the aged, the sick, the infant, the matron, wife, and virgin. Her Generals and Admirals, in cold blood, in their prisons and prison-ships, murdered our countrymen by suffocation, filth, hunger, and nakedness; refusing to them the food and raiment provided for their necessities by public authority and private affection; with gold and food tempting these virtuous citizens, in the agonies of misery and despair, to dip their hands in the blood of their country! Behold the "generous measures of Great Britain." Your Excellencies have unwarily touched a string that already trembles through America, a subject that rouses the indignation and calls forth the vengeance of the people! America has experienced too much to be surprized at any thing. She, therefore, cannot be surprized at your decorating your offers with the title, "the generous measures of Great Britain." Generous measures proceed from magnanimity, not cruelty—from choice, not necessity. Already have I met your assertions with Lord North's speech; allow me once more to have recourse to it. His Lordship proceeded, "The resistance of America is greater, and the war has lasted longer than it was at first apprehended. In the present situation of affairs, only three propositions can be made.

1. To strengthen our force, and

continue the war upon the present plan.

2. To recall it from America. And,

3. To offer terms of conciliation to her. The first proposition is attended with too great an expence of men and money. The second is to subscribe to the independance of America. The third is that which appears to me to be the best and wisest."

Your Excellencies will be so good as to glance your eyes over the first and last propositions, and be sensible, that prior to the 17th of February last, conciliation was not the "present plan." And if you look upon his Lordship's reflections upon the three propositions, you must remain convinced, that he closed with the last proposition from necessity, not choice—he closed with it, because he could no longer prosecute the first. Tell me now in what consists the boasted generosity of the present measures of Great Britain? And have your Excellencies so unfavourable an opinion of the understandings of the Americans, as to think you can induce them, by your reasonings and negotiations, to yield that independence, which they declared, after the most mature reflection, which they have purchased with their hearts blood, and at every risk? Are you so much in the dark, with respect to their inclinations and determination, as to have an idea, that if you proved to them, as clear as the meridian sun, that the offers of France were only the consequence of your conciliatory propositions, that therefore they would renounce their glorious independance? Is it possible you have forgot, that on the 22d of April last, when Congress were utterly ignorant that a treaty had been signed by their Commissioners, nay, that a treaty with France even had been, was then, or was expected to be in agitation, that on that very 22d of April, Congress absolutely refused your conciliatory acts of Parliament?

lament? Are you now, for the first time, to be assured, that the people throughout the United States, with one voice, applauded and rejoiced in that "decisive" refusal? It was not "on the ground of the treaties" with France, that Congress took "the decisive part" of which you so much complain; nor was this decisive part taken as you suppose it was, "without previously consulting the Assemblies of the different States." The members of Congress individually knew the sense of their respective Assemblies before they came to Congress. The present members of Congress were sent by their several Assemblies *at every hazard to maintain the independence of America*. I solemnly assure you, upon this great point; should a member of Congress be so imprudent as but to move to accept your propositions; he must prepare to make *atonement with his head*, or fly to you for refuge. Congress have no power of themselves: their power arises from the support of the people:

So long as they profess this support; they hold the reins of government; the moment they lose it, that moment they cease to direct the affairs of the Continent. As long therefore as you see them at the head of the American Empire, be convinced they are supported and obeyed by the people; in every measure tending to the establishment of their independence. Deceive not yourselves by continuing to nourish the vain idea; that Congress have "assumed the decisive part which they have taken." Your Excellencies have it in your power to make a faithful representation of the utter improbability of your acquiring; in any degree, the subjection of America by your arms, or your negotiations; to save your country by making such a representation; and thereby preserving your names from infamy, render them respectably immortal. That such may be your conduct and reward, is the wish of

WILLIAM HENRY DRAYTON:  
*Philadelphia, Sept. 4th, 1778.*

*Traité d'Amitié & de Commerce, conclu entre le Roi et les Etats-Unis de l'Amérique Septentrionale, le 6 Février 1778.*

Louis, par la Grace de Dieu, Roi de France & de Navarre: à tous ceux qui ces présentes lettres verront, SALUT. Comme notre cher & bien aimé le Sieur *Conrad-Alexandre-Gerard*, Syndic royal de la ville de *Straßbourg* & Secrétaire de notre Conseil d'Etat, auroit, en vertu des pleins pouvoirs que nous lui avions donnés à cet effet, conclu; arrêté & signé le 6 Février de la présente année 1778, avec les Sieurs *Benjamin Franklin, Silas Deane & Arthur Lee*, Députés du Congrès général des Etats-Unis de l'Amérique Septentrionale, également munis de pleins-pouvoirs, en bonne forme, un Traité d'Amitié & de Commerce, dont la teneur s'enfuit:

*Treaty of Friendship and Commerce, concluded between the French King and the United States of North America, Feb. 6, 1778.*

Lewis, by the grace of God; King of France and Navarre, to all those to whom these presents shall come, greeting. Whereas our dear and well-beloved M. *Conrad Alexander Gerard*, Royal Syndic of the city of *Straßburgh*, and Secretary of our Council of State, has, in virtue of the full powers with which we have invested him for that purpose; concluded, finished, and signed, on the 6th of February, in the present year, 1778, with Messrs. *Benjamin Franklin, Silas Deane, and Arthur Lee*, deputies from the General Congress of the United States of North America, equally and formally invested with full powers; a treaty of friendship and commerce to the following purport:

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Le Roi Très-Chrétien & les Treize États Unis de l'Amérique Septentrionale ; savoir, New-Hampshire, la Baie de Massachusset, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvanie, les Comtés de New-Castle, de Kent & de Susses sur la Delaware, Maryland, Virginie, Caroline Septentrionale, Caroline Meridionale & Georgie, voulant établir d'un manière équitable & permanente, les règles qui devront être suivies relativement à la correspondance & au commerce, que les deux parties desirèrent d'établir entre leurs pays, états & sujets respectifs ; Sa Majesté Très-Chrétienne & lesdits États-Unis ont jugé ne pouvoir mieux atteindre à ce but, qu'en prenant pour base de leur arrangement l'égalité & la reciprocité la plus parfaite, & en observant d'éviter toutes les préférence onéreuses, source de discussions, d'embarras & de mécontentemens ; de laisser à chaque partie la liberté de faire, relativement au commerce & à la navigation, les réglemens intérieurs qui seront à sa convenance ; de ne fonder les avantages du commerce, que sur son utilité réciproque & sur les loix d'une juste concurrence ; & de conserver ainsi de part & d'autre la liberté de faire participer, chacun selon son gré, les autres nations aux mêmes avantages. C'est dans cet esprit, & pour remplir ces vues, que Sa dite Majesté ayant nommé & constitué pour son Plénipotentiaire le Sieur *Conrad-Alexandre Gerard*, Syndic royal de la ville de *Strasbourg*, Secrétaire du Conseil d'Etat de sa Majesté ; Et les États-Unis ayant, de leur côté, muni de leurs pleins-pouvoirs les Sieurs *Benjamin Franklin*, Député au Congrès général de la part de l'Etat de Pennsylvanie, & *President* de la Convention dudit Etat ; *Silas Deane*, ci-devant Député de l'Etat de Connecticut ; & *Arthur Lee* Conseiller des Loix : Lesdits Plénipotentiaires respectifs, après l'échange de leurs pleins pouvoirs, & après mûre délibération, ont

Vol. VII. conclu

The Most Christian King, and the Thirteen United States of North America, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York; New-Jersey, Pennsylvania, the Counties of New-castle, Kent, and Susses on the Delaware; Maryland, Virginia, North and South Carolina, and Georgia, desirous of establishing, in an equitable and permanent manner, the rules which ought to be observed, relative to the correspondence and commerce, which the two parties wish to establish between their respective states, dominions, and subjects; his Most Christian Majesty and the said United States have thought proper, and as most conducive to this end, to found their arrangements on the basis of the most perfect equality and reciprocal advantage, taking care to avoid disagreeable preferences, the sources of altercation, embarrassment, and discontent; to leave to each party the liberty, respecting commerce and navigation, of making such interior regulations as shall suit themselves; to found their commercial advantages as well on reciprocal interest, as on the laws of mutual agreement; and thus to preserve to both parties the liberty of dividing, each according to his will, the same advantages with other nations. In this idea, and to accomplish these views, his said Majesty, having nominated and appointed, as his Plenipotentiary, M. *Conrad Alexander Gerard*, royal Syndic of the city of *Strasburgh*, Secretary of his Majesty's Council of State; and the United States having, on their part, invested with full powers Mess. *Benjamin Franklin*, Deputy of the General Congress of the State of *Pennsylvania*, and *President* of the Assembly of the said State; *Silas Deane*, formerly Deputy of the State of *Connecticut*; and *Arthur Lee*, Counselor at Law: the said Plenipotentiaries respectively, after having exchanged their credentials, and upon

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conclu & arrête les articles suivants :

ART. I. Il y aura une paix ferme, inviolable & universelle, & une amitié vraie & sincère entre le Roi Très-Chrétien, ses héritiers & successeurs, & entre les Etats-Unis de l'Amérique, ainsi qu'entre les sujets de Sa Majesté Très-Chrétienne & ceux desdits Etats, comme aussi entre les peuples, îles, villes & places situées sous la juridiction du Roi Très-Chrétien & desdits Etats-Unis, & entre leurs peuples & habitans de toutes les classes, sans aucune exception de personnes & de lieux. Les conditions mentionnées au présent Traité, seront perpétuelles & permanentes entre le Roi Très-Chrétien, ses héritiers & successeurs, & lesdits Etats-Unis.

ART. II. Le Roi Très-Chrétien & les Etats-Unis, s'engagent mutuellement à n'accorder aucune faveur particulière à d'autres nations, en fait de commerce & de navigation, qui ne devienne aussitôt commune à l'autre partie ; & celle-ci jouira de cette faveur gratuitement, si la concession est gratuite, ou en accordant la même compensation, si la concession est conditionnelle.

ART. III. Les sujets du Roi Très-Chrétien ne payeront dans les ports, havres, rades, contrées, îles, côtes & lieux des Etats-Unis ou d'aucun d'eux, d'autres ni plus grands droits & impôts, de quelque nature qu'ils puissent être, & quelque nom qu'ils puissent avoir, que ceux que les nations les plus favorisées seront tenues de payer ; & ils jouiront de tous les droits, libertés, privilèges, immunités & exemptions, en fait de négoce, navigation & commerce, soit en passant d'un port desdits Etats à un autre, soit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce soit, dont les nations susdites jouissent ou jouiront.

ART. IV. Les sujets, peuples & habitans desdits Etats-Unis & de cha-

cun matans deliberation, have concluded and agreed to the following articles :

ART. I. A firm, inviolable, and universal peace, and a true and sincere friendship, shall subsist between the Most Christian King, his heirs and successors, and the United States of America, as well as between his Most Christian Majesty's subjects, and those of the said States ; as also between the people, islands, cities, and places, under the government of his Christian Majesty, and the said United States ; and between the people and inhabitants of all classes, without any exception to persons or places. The conditions mentioned in the present treaty, shall be perpetual and permanent between the Most Christian King, his heirs and successors, and the said United States.

ART. II. The Most Christian King and the United States mutually engage, not to grant any particular favour to other nations, respecting commerce and navigation, which shall not be immediately made known to the other party ; and such nation shall enjoy that favour gratuitously, if the concession is such, or in granting the same compensation, if the concession is conditional.

ART. III. The subjects of the Most Christian King shall not pay, in the ports, harbours, roads, countries, islands, cities, and places of the United States, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than such as the most favoured nation shall pay ; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port of the said States to another, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

ART. IV. The subjects, people, and inhabitants of the said United States,

eun d'iceux, ne payeront dans les ports, havres, rades, isles, villes & places de la domination de Sa Majesté Très-Chrétienne en Europe, d'autres ni plus grands droits ou impôts, de quelque nature qu'ils puissent être, & quelque nom qu'ils puissent avoir, que les nations les plus favorisées sont ou seront tenues de payer, & ils jouiront de tous les droits, libertés, privilèges, immunités & exemptions, en fait de négoce, navigation & commerce, soit en passant d'un port à un autre desdits Etats du Roi Très-Chrétien en Europe, soit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce soit, dont les nations susdites jouissent ou jouiront.

**ART. V.** Dans l'exemption ci-dessus est nommément comprise l'imposition de cent sous par tonneau, établie en France sur les navires étrangers, si ce n'est lorsque les navires des Etats-Unis chargeront des marchandises de France dans un port de France pour un autre port de la même domination, auquel cas lesdits navires desdits Etats-Unis acquitteront le droit dont il s'agit, aussi long-temps que les autres nations les plus favorisées seront obligées de l'acquitter; bien entendu qu'il sera libre auxdits Etats-Unis, ou à aucun d'iceux, d'établir, quand ils le jugeront à propos, un droit équivalent à celui dont il est question, pour le même cas pour lequel il est établi dans les ports de Sa Majesté Très-Chrétienne.

**ART. VI.** Le Roi Très-Chrétien fera usage de tous les moyens qui sont en son pouvoir, pour protéger & défendre tous les vaisseaux & effets appartenans aux sujets, peuples & habitans desdits Etats-Unis & de chacun d'iceux, qui seront dans ses ports, havres ou rades, ou dans les mers près de ses pays, contrées, isles, villes & places, & fera tous ses efforts pour recouvrer & faire restituer aux propriétaires légitimes, leurs agens ou mandataires, tous les vaisseaux & ef-

States, or each of them, shall not pay, in the ports, harbours, roads, islands, cities, and places, within the dominions of his Most Christian Majesty in Europe, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than the most favourite nation are or shall be bound to pay; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port to another of the said dominions of the Most Christian King in Europe, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

**ART. V.** In the above exemption is particularly comprized the imposition of one hundred pence per ton, established in France upon foreign ships; excepting when the ships of the United States shall load with French merchandizes in one port of France for another in the same kingdom, in which case the said ships of the said United States shall discharge the usual rights, so long as the most favourite nations shall be obliged to do the same; nevertheless, the said United States, or any of them, shall be at liberty to establish, whenever they shall think proper, a right equivalent to that in question, in the same case as it is established in the ports of his Most Christian Majesty.

**ART. VI.** The Most Christian King shall use all the means in his power to protect and defend all the ships and effects belonging to the subjects, people, and inhabitants of the said United States, and of each of them, which shall be in his ports, harbours, or roads, or in the seas near his territories, countries, isles, cities, and places; and shall use every effort to recover and restore to the lawful proprietors, their agents or order, all the ships and effects which shall be taken

fets qui leur seront pris dans l'étendue de sa juridiction : et les vaisseaux de guerre de Sa Majesté Très-Chrétienne ou les convois quelconques, faisant voile sous son autorité, prendront, en toute occasion sous leur protection les vaisseaux appartenans aux sujets, peuple & habitans desdits Etats-Unis ou d'aucun d'iceux, lesquels tiendront le même cours & feront la même route, & ils défendront lesdits vaisseaux aussi long-temps qu'ils tiendront le même cours & suivront la même route, contre toute attaque, force ou violence, de la même manière qu'ils sont tenus de défendre & de protéger les vaisseaux appartenans aux sujets de Sa Majesté Très-Chrétienne.

ART. VII. Pareillement lesdits Etats-Unis & leurs vaisseaux de guerre faisant voile sous leur autorité, protégeront & défendront, conformément au contenu de l'article précédent, tous les vaisseaux & effets appartenans aux sujets du Roi Très-Chrétien, & feront tous leurs efforts pour recouvrer & faire restituer lesdits vaisseaux & effets qui auront été pris dans l'étendue de la juridiction desdits Etats-Unis & de chacun d'iceux.

ART. VIII. Le Roi Très-Chrétien emploiera ses bons offices & son entremise auprès des Roi ou Empereur de Maroc ou Fez, des Régences d'Alger, Tunis & Tripoli, ou auprès d'aucun d'entr'elles, ainsi qu'auprès de tout autre Prince, Etat ou Puissance des côtes de Barbarie en Afrique, & des sujets desdits Roi, Empereur, Etats & Puissance, & de chacun d'iceux, à l'effet de pourvoir aussi pleinement & aussi efficacement qu'il sera possible, à l'avantage, commodité & sûreté desdits Etats-Unis & de chacun d'iceux, ainsi que de leurs sujets, peuples & habitans, leurs vaisseaux & effets, contre toute violence, insulte, attaque ou déprédation de la part desdits Princes & Etats Barbaresques ou de leurs sujets.

ART. IX.

within his jurisdiction; and his Most Christian Majesty's ships of war, or other convoys, sailing under his authority, shall take, on every occasion, under their protection the ships belonging to the subjects, people, and inhabitants of the said United States, or any of them, which shall keep the same course and make the same rout, and defend the said ships, so long as they shall keep the same course and make the same rout, against every attack, force, or violence, in the same manner as they are bound to defend and protect the ships belonging to the subjects of his Most Christian Majesty.

ART. VII. In like manner the said United States, and their ships of war sailing under their authority, shall protect and defend, agreeable to the contents of the preceding Article, all the ships and effects belonging to the Most Christian King, and shall use all their efforts to recover and restore the said ships and effects, which shall be taken within the extent of the jurisdiction of the said United States, or either of them.

ART. VIII. The Most Christian King will employ his endeavours and mediation with the King or Emperor of Morocco or Fez, with the Regencies of Algier, Tunis, and Tripoli, or any of them, as well as with every other Prince, State, or Powers, of the Barbary Coast in Africa, and with the subjects of the said King, Emperor, States and Powers, and each of them, to secure, as fully and effectually as possible, to the advantage, convenience, and security, of the said United States, and each of them, as also their subjects, people, and inhabitants, their ships and effects, against violence, insult, attack, or depredation, on the part of the said Barbary Princes and States, or their subjects.

ART. IX.

**ART. IX.** Les sujets, habitans, marchands, Commandans des navires, maîtres & gens de mer des États, provinces & domaines de deux parties, s'abstiendront & éviteront réciproquement de pêcher dans toutes les places possédées ou qui seront possédées par l'autre partie. Les sujets de Sa Majesté Très-Chrétienne ne pêcheront pas dans les havres, baies, criques, rades, côtes & places que lesdits États-Unis possèdent ou posséderont à l'avenir; & de la même manière les sujets, peuples & habitans desdits États-Unis ne pêcheront pas dans les havres, baies, criques, rades côtes & places que Sa Majesté Très-Chrétienne possède actuellement ou possèdera à l'avenir: et si quelque navire ou bâtiment étoit surpris pêchant, en violation du présent traité le dit navire ou bâtiment & sa cargaison, seront confisqués, après que la preuve en aura été faite dûment; bien entendu que l'exclusion stipulée dans le présent article, n'aura lieu qu'autant & si long-temps que le Roi & les États-Unis n'auront point accordé à cet égard d'exception à quelque nation que ce puisse être.

**ART. X.** Les États-Unis, leurs citoyens & habitans, ne troubleront jamais les sujets du Roi Très-Chrétien dans la jouissance & exercice du droit de pêche sur les bancs de Terre-neuve, non plus que dans la jouissance indéfinie & exclusive qui leur appartient sur la partie des côtes de cette île, désignée dans le Traité d'Utrecht, ni dans les droits relatifs à toutes & chacune des îles qui appartiennent à Sa Majesté Très-Chrétienne; le tout conformément au véritable sens des Traités d'Utrecht & de Paris.

**ART. XI.** Les sujets & habitans desdits États-Unis, ou de l'un d'eux, ne seront point réputés Aubains en France, & conséquemment seront exempts du Droit d'Aubaine ou autre droit semblable, quelque nomme qu'il puisse avoir: pourront disposer par testament,

**ART. IX.** The subjects, inhabitants, merchants, commanders of ships, masters, and seamen, of the states, provinces, and dominions of the two parties, shall reciprocally refrain from and avoid fishing in any of the places possessed, or which shall be possessed, by the other party. The subjects of his Most Christian Majesty shall not fish in the harbours, bays, creeks, roads, and places, which the said United States possess, or shall hereafter possess; and in the same manner the subjects, people, and inhabitants, of the said United States, shall not fish in the harbours, bays, creeks, roads, coasts, and places, which his Most Christian Majesty actually possesses, or shall hereafter possess; and if any ship or vessel shall be surprized fishing, in violation of the present treaty, the same ship or vessel, and its cargo, shall, upon clear proof, be confiscated. Provided, the exclusion stipulated in the present article shall stand good only so long as the King and the United States shall not suffer it to be enjoyed by any other nation whatever.

**ART. X.** The United States, their citizens and inhabitants, shall never disturb the subjects of the Most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, any more than in the unlimited and exclusive enjoyment they possess on that part of the coasts of that island, as specified in the treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to his Most Christian Majesty; the whole conformable to the true sense of the treaties of Utrecht and Paris.

**ART. XI.** The subjects and inhabitants of the said United States, or any of them, shall not be considered as foreigners in France, and consequently shall be exempt from the right of escheatage, or any other such like right, under any name whatever; they

testament, donation ou autrement, de leurs biens, meubles & immeubles en faveur de telles personnes que bon leur semblera ; & leurs héritiers, sujets desdits Etats-Unis, résidans soit en France ou ailleurs, pourront leur succéder *ab intestat*, sans qu'ils aient besoin d'obtenir des lettres de naturalité, & sans que l'effet de cette concession leur puisse être contesté ou empêché, sous prétexte de quelques droits ou prérogatives de provinces, villes ou personnes privées : et seront lesdits héritiers, soit à titre particulier, soit *ab intestat*, exemptés de tout droit de détraction ou autre droit de ce genre, sauf néanmoins les droits locaux ; tant & si long-temps qu'il n'en sera point établi de pareils par lesdits Etats-Unis ou aucun d'iceux. Les sujets du Roi Très-Chrétien jouiront, de leur côté, dans tous les domaines desdits Etats, d'une entière & parfaite réciprocité, relativement aux stipulations renfermées dans le présent article.

Mais il est convenu en même temps que son contenu ne portera aucune atteinte aux Loix promulguées en France contre les émigrations, ou qui pourront être promulguées dans la suite, lesquelles demeureront dans toute leur force & vigueur : les Etats-Unis, de leur côté, ou aucun d'entr'eux, seront libres de statuer sur cette matière telle Loi qu'ils jugeront à propos.

ART. XII. Les navires marchands des deux parties, qui seront destinés pour des ports appartenans à une puissance ennemie de l'autre allié, & dont le voyage ou la nature des marchandises dont ils seront chargés donneroit de justes soupçons, seront tenus d'exhiber, soit en haute mer, soit dans les ports & havres, non-seulement leurs passeports, mais encore les certificats qui constateront expressément que leur chargement, n'est pas de la qualité de ceux que sont prohibés comme contrebande.

ART. XIII. Si l'exhibition desdits certificats

they may, by will, donation, or otherwise, dispose of their goods, moveables, and fixtures, in favour of whom they shall please ; and their heirs, subjects of the said United States, resident in France or elsewhere, shall succeed to them, *ab intestat*, without being obliged to obtain letters of naturalization, and without being exposed to any molestation or hindrance, under pretence of any rights or prerogatives of provinces, cities, or private persons ; and the said heirs, either by particular title, or *ab intestat*, shall be exempt from all right of detraction, or other right of that kind, provided that such or the like local rights are not established by the said United States, or any of them. The subjects of the Most Christian King shall enjoy, on their side, in all the dominions of the said States, an entire and perfect reciprocity, with respect to the stipulations included in the present Article.

But it is at the same time agreed, that the contents of this Article shall not affect the laws made in France against emigrations, or such as may be made hereafter, such being left in their full force and vigour ; the United States, on their side, or any of them, shall be free to make such laws, respecting that matter, as they shall judge proper.

ART. XII. The merchant ships of both parties, which shall be bound to any port, belonging to a power then an enemy of the other ally, and of which the voyage, or nature of its cargo, shall give just suspicions, shall be bound to produce, either on the high seas, or in ports and harbours, not only their passports, but also certificates, which shall expressly state, that their cargoes are not of prohibited and contraband wares.

ART. XIII. If the contents of the said

certificats conduit à découvrir que le navire porte des marchandises prohibées & réputées contrebande, consignées pour un port ennemi, il ne sera pas permis de briser les écoutilles desdits navires, ni d'ouvrir aucune caisse, coffre, malles, ballots, tonneaux & autres caisses qui s'y trouveront, ou d'en déplacer & détourner la moindre partie des marchandises, soit que le navire appartienne aux sujets du Roi Très-Chrétien ou aux habitans des Etats-Unis, jusqu'à ce que la cargaison ait été mise à terre en présence des Officiers des Cours d'Amirauté, & que l'inventaire en ait été fait; mais on ne permettra pas de vendre, échanger ou aliéner les navires ou leur cargaison en manière quelconque, avant que le procès ait été fait & parfait légalement, pour déclarer la contrebande, & que les Cours d'Amirauté aient prononcé leur confiscation par jugement, sans préjudice néanmoins des navires, ainsi que des marchandises qui, en vertu du traité, doivent être censés libres. Il ne sera pas permis de retenir ces marchandises, sous prétexte qu'elles ont été entachées par les marchandises de contrebande, & bien moins encore de les confisquer comme des prises légales: dans le cas où une partie seulement, & non la totalité du chargement, consisteroit en marchandises de contrebande, & que le commandant du vaisseau consente à les délivrer au corsaire qui les aura découvertes, alors le Capitaine qui aura faite la prise, après avoir reçues les marchandises, doit incontinent relâcher le navire, & ne doit l'empêcher en aucune manière de continuer son voyage; mais dans le cas où les marchandises de contrebande ne pourroient pas être toutes chargées sur le vaisseau capteur, alors le Capitaine dudit vaisseau sera le maître, malgré l'offre de remettre la contrebande, de conduire le patron dans le plus prochain port, conformément à ce qui est prescrit le plus haut.

ART. XIV.

said certificates leads to a discovery, that the ship carries prohibited and contraband merchandizes, consigned to an enemy's port, it shall not be permitted to open the hatches of the said ship, nor any case, chest, trunk, bale, cask, or other cases, contained therein, or to displace or remove the least part of the merchandize, whether the ship belongs to the Most Christian King, or to the inhabitants of the United States, until the cargo has been landed in the presence of the officers of the Admiralty, and an inventory taken of them; but they shall not be permitted to sell, exchange, or dispose of the ships or cargoes, in any manner whatever, until a fair and legal enquiry has been made, the contraband declared, and the Court of Admiralty shall have pronounced the confiscation by judgment, nevertheless without prejudice of ships or cargoes, which, by virtue of this treaty, should be considered as free. It shall not be permitted to retain merchandizes, under pretence that they were found among contraband goods, and still less to confiscate them as legal prizes. In case where a part only, and not the whole of the cargo, consists of contraband articles, and that the commander of the ship consents to deliver up to the captor what shall be discovered, then the captain, who shall have made the prize, after having received those articles, shall immediately release the ship, and in no manner prevent its from pursuing its voyage; but in case that the whole of the contraband articles cannot be all taken into the vessel of the captor, then the Captain of such vessel shall remain master of his prize, notwithstanding the offer to give up the contraband goods, and conduct the ship into the nearest port, conformably to what is above specified.

ART. XIV.

ART. XIV. On est convenu au contraire, que tout ce qui se trouvera chargé par les sujets respectifs, sur des navires appartenans aux ennemis de l'autre partie, ou à leurs sujets, sera confisqué sans distinction des marchandises prohibées ou non prohibées, ainsi & de même que si elles appartenotent à l'ennemi, à l'exception toutefois des effets & marchandises qui auront été mis à bord desdits navires avant la déclaration de guerre, ou même après ladite déclaration, si au moment du chargement on a pu l'ignorer, de manière que les marchandises des sujets des deux parties, soit qu'elles se trouvent du nombre de celles de contrebande ou autrement, lesquelles, comme il vient d'être dit, auront été mises à bord d'un vaisseau appartenant à l'ennemi avant la guerre, ou même après ladite déclaration lorsqu'on l'ignoroit, ne seront en aucune manière sujettes à confiscation, mais seront fidèlement & de bonne foi rendues sans délai à leurs propriétaires qui les réclameront; bien entendu néanmoins qu'il ne soit pas permis de porter dans les ports ennemis les marchandises qui feront de contrebande. Les deux parties contractantes conviennent que le terme de deux mois passé depuis la déclaration de guerre, leurs sujets respectifs, de quelque partie du monde qu'ils viennent ne pourront plus alléguer l'ignorance dont il est question dans le présent article.

ART. XV. Et afin de pouvoir plus efficacement à la sûreté des sujets des deux parties contractantes, pour qu'il ne leur soit fait aucun préjudice par les vaisseaux de guerre de l'autre partie, ou par des armateurs particuliers, il sera fait défenses à tous Capitaines des vaisseaux de Sa Majesté Très-Chrétienne & desdits Etats-Unis, & à tous leurs sujets, de faire aucun dommage ou insulte à ceux de l'autre partie; & au cas où ils y contreviendroient, ils en seront punis, & de

ART. XIV. It is agreed, on the contrary, that every thing that shall be found embarked by the respective subjects, in ships belonging to the enemies of the other party, or their subjects, shall be confiscated, without regard to their being prohibited or not, in the same manner as if they belonged to the enemy; excepting, however, such effects and merchandizes as had been put on board the said ships before the declaration of war, or even after the said declaration, if they were ignorant of it at the time of loading; so that the merchandizes of the subjects of both parties, whether they be found among contraband goods or otherwise, which, as hath been just mentioned, shall have been put on board a ship, belonging to the enemy, before the war, or even after the said declaration, when unknown to them, shall not be, in any manner, subject to confiscation, but shall be faithfully and truly restored, without delay, to the owners who shall claim them; it must, however, be understood, that it will not be permitted to carry contraband goods into an enemy's ports. The two contracting parties agree, that after the expiration of two months, from the declaration of war, their respective subjects, from what part of the world soever they shall come, shall not be permitted to plead ignorance of the question in this Article.

ART. XV. And in order the more effectually to secure the subjects of the two contracting parties from receiving any prejudice from the ships of war or privateers of either party, orders shall be given to all captains of ships of his Most Christian Majesty and the said United States, and to all their subjects, to avoid offering insult or doing damage to the ships of either party; and whoever shall act contrary to these orders, shall be punished for it, and shall be bound and obliged personally,

de plus ils seront tenus & obligés en leurs personnes & en leurs biens, de séparer tous les dommages & intérêts.

ART. XVI. Tous vaisseaux & marchandises de quelque nature que ce puisse être, lorsqu'ils auront été enlevés des mains de quelques pirates en pleine mer, seront amenés dans quelque port de l'un des deux Etats, & seront remis à la garde des Officiers dudit port, afin d'être rendus en entier à leur véritable propriétaire, aussitôt qu'il aura dûment & suffisamment fait constater de sa propriété.

ART. XVII. Les vaisseaux de guerre de Sa Majesté Très-Chrétienne, & ceux des Etats-Unis, de même que ceux que leurs sujets auront armés en guerre, pourront en toute liberté, conduire où bon leur semblera, les prises qu'ils auront faites sur leurs ennemis, sans être obligés à aucuns droits, soit des sieurs Amiraux ou de l'Amirauté, ou d'aucuns autres, sans qu'aussi lesdits vaisseaux ou lesdites prises, entrant dans les havres ou ports de Sa Majesté Très-Chrétienne, ou desdits Etats-Unis, puissent être arrêtés ou saisis, ni que les Officiers des lieux puissent prendre connoissance de la validité desdites prises, lesquelles pourront sortir & être conduites franchement & en toute liberté, aux lieux portés par les commissions dont les Capitaines desdits vaisseaux seront obligés de faire apparoir. Et au contraire; ne sera donné asyle ni retraite dans leurs ports ou havres, à ceux qui auront fait, des prises sur les sujets de Sa Majesté ou desdits Etats-Unis; & s'ils sont forcés d'y entrer par tempête ou péril de la mer, on les fera sortir le plus tôt qu'il sera possible.

ART. XVIII. Dans le cas où un vaisseau appartenant à l'un des deux Etats, ou à leurs sujets, aura échoué, fait naufrage ou souffert quelque autre dommage, sur les côtes ou sous la domination de l'une des deux parties,

personally, in their own effects, to repair all such damages and losses.

ART. XVI. All ships and merchandizes of what nature soever, which shall be taken out of the hands of pirates on the high seas, shall be conducted into some port of the two States, and shall be committed to the care of the officers of the said port, in order that they may be entirely restored to the right owner, as soon as such property shall be fully and clearly proved.

ART. XVII. The ships of war of his Most Christian Majesty, and those of the United States, as well as privateers fitted out by their subjects, shall be at full liberty to conduct where they please such prizes as they shall take from the enemy, without being amenable to the jurisdiction of their Admirals or Admiralty, or any other power; and the said vessels, or prizes, entering into the harbours or ports of his Most Christian Majesty, or those of the said United States, shall be neither stopped nor seized, nor shall the officers of such places enquire into the validity of the said prizes, but shall be permitted to depart freely and at full liberty, to such places as directed in the commissions, which the captains of the said ships shall be obliged to produce. And, on the contrary, they shall neither give security nor retreat, in their ports or harbours, to any prizes made on the subjects of his Majesty, or the said United States; and, if such shall be found to enter their ports, through storms or dangers of the sea, they shall be obliged to depart as soon as possible.

ART. XVIII. Should a ship, belonging to either of the two States, or their subjects, run aground, be wrecked, or suffer other damages, upon the coasts belonging to one of the two parties, they shall give all friendly



ties, il sera donné toute aide & assistance amiable aux personnes naufragées ou qui se trouvent en danger, & il leur sera accordé des saufconduits, pour assurer leur passage & leur retour dans leur patrie.

ART. XIX. Lorsque les sujets & habitans de l'une des deux parties avec leurs vaisseaux, soit publics & de guerre, soit particuliers & marchands, seront forcés par une tempête, par la poursuite des pirates & des ennemis, ou par quelque autre nécessité urgente, de chercher refuge & un abri, de se retirer & entrer dans quelque une des rivières, baies, rades ou ports de l'une des deux parties, ils seront reçus & traités avec humanité & honnêteté, & jouiront de toute amitié, protection & assistance, & il leur sera permis de se pourvoir de rafraîchissemens, de vivres & de toutes choses nécessaires pour leur subsistance, pour la réparation de leurs vaisseaux, & pour continuer leur voyage, le tout moyennant un prix raisonnable ; & ils ne seront retenus en aucune manière, ni empêchés de sortir desdits ports ou rades, mais pourront se retirer & partir quand & comme il leur plaira, sans aucun obstacle ni empêchement.

ART. XX. Afin de promouvoir d'autant mieux le commerce des deux côtés, il est convenu que dans le cas où la guerre surviendrait entre les deux Nations susdites, il sera accordé six mois après la déclaration de guerre, aux marchands dans les villes & cités qu'ils habitent, pour rassembler & transporter leurs marchandises ; & s'il en est enlevé quelque chose, ou s'il leur a été fait quelque injure durant le terme prescrit ci dessus, par l'une des deux Parties, leurs peuples ou sujets, il leur sera donné à cet égard pleine & entière satisfaction.

ART. XXI. Aucun sujet du Roi Très-Chrétien ne prendra de commission ou de lettres de marque pour armer quelque vaisseau ou vaisseaux, à l'effet d'agir comme Corsaire contre lesdits

friendly aid and assistance to such as are in danger, and take every method to secure their safe passage, and return to their own country.

ART. XIX. When the subjects and inhabitants of one of the two parties with their ships, whether men of war, privateers, or merchantmen, shall be forced by foul weather, by the pursuits of pirates or enemies, or by any other urgent necessity, to seek shelter and refuge, to run into and enter some river, bay, road, or port, belonging to one of the two parties, they shall be received and treated with humanity and kindness, and shall enjoy all the friendship, protection, and assistance, and shall be permitted to procure refreshments, provisions, and every thing necessary for their subsistence, for the repairing of their ships, and to enable them to pursue their voyage, paying a reasonable price for every thing ; and they shall not be detained in any manner, nor prevented quitting the said ports or roads, but shall be permitted to depart at pleasure, without any obstacle or impediment.

ART. XX. In order the better to promote the commerce of the two parties, it is agreed, that in case a war should commence between the two said nations, six months shall be allowed, after the declaration of war, to the merchants living in their towns and cities, to collect and transport their merchandize ; and, if any part them shall be stolen or damaged, during the time above prescribed, by either of the two parties, their people or subjects shall be obliged to make full and perfect satisfaction for the same.

ART. XXI. No subject of the Most Christian King shall take a commission, or letters of marque, to arm any ship or vessel, to act as a privateer against the said United States, or

lesdits Etats-Unis ou quelques-uns d'entr'eux, ou contre les sujets, peuples ou habitans d'iceux, ou contre leur propriété, ou celle des habitans d'aucun d'entr'eux, de quelque Prince que se soit avec lequel lesdits Etats-Unis seront en guerre. De même aucun citoyen, sujet ou habitant des susdits Etats-Unis, & de quelqu'un d'entr'eux, ne demandera ni n'acceptera aucune commission ou lettres de marque pour armer quelque vaisseau ou vaisseaux, pour courre-sus aux sujets de Sa Majesté Très-Chrétienne, ou quelqu'un d'entr'eux, ou leur propriété, de quelque Prince ou Etats que se soit avec qui Sa dite Majesté se trouvera en guerre; & si quelqu'un de l'une ou de l'autre Nation prenoit de pareilles commissions ou lettres de marque, il sera puni comme pirate.

ART. XXII. Il ne sera permis à aucun corsaire étranger, non appartenant à quelque sujet de Sa Majesté Très Chrétienne, ou à un citoyen desdits Etats-Unis, lequel aura une commission de la part d'un Prince ou d'une Puissance en guerre avec l'une des deux Nations, d'armer leurs vaisseaux dans les ports de l'une des deux Parties, ni d'y vendre les prises qu'il aura faites, ni décharger en autre manière quelconque les vaisseaux, marchandises ou aucune partie de leur cargaison; il ne sera même pas permis d'acheter d'autres vivres que ceux qui lui seront nécessaires pour se rendre dans le port le plus voisin du Prince ou de l'Etat dont il tient sa commission.

ART. XXIII. Il sera permis à tous & un chacun des sujets du Roi Très-Chrétien, & aux citoyens, peuples & habitans des susdits Etats-Unis, de naviguer avec leurs bâtimens avec toute liberté & sûreté, sans qu'il puisse être fait d'exception à cet égard, à raison des propriétaires des marchandises chargées sur lesdits bâtimens, venant de quelque port que ce soit, & destinés pour quelque place d'une puissance

or any one of them, or against their subjects, people, or inhabitants, or against their property, or that of the inhabitants of any of them, from any Prince whatever, with whom the said United States shall be at war. In like manner, no citizen, subject, or inhabitant of the said United States, or any of them, shall demand or accept any commission, or letters of marque, to arm any ships or vessels, to act against the subjects of his Most Christian Majesty, or any of them, or their property, from any Prince or State whatever, with whom his said Majesty may be at war; and if any of the two nations shall take such commissions, or letters of marque, they shall be punished as pirates.

ART. XXII. No foreign privateer, nor belonging to some subject of his Most Christian Majesty, or to a citizen of the said United States, which shall have a commission from any Prince or power at war with one of the two nations, shall be permitted to arm their ships in the ports of one of the two parties, nor to sell their prizes, nor to clear their ships, in any manner whatever, of their merchandizes, or any part of their cargo; they shall not even be permitted to purchase any other provisions, than such as are necessary to carry them to the nearest port of the Prince or State, of whom they hold their commission.

ART. XXIII. All and each of the subjects of the Most Christian King, as well as the citizens, people, and inhabitants, of the said United States, shall be permitted to work their vessels, in full liberty and security, without any exception being made thereto, on account of the proprietors of merchandizes on board the said vessels, coming from any port whatever, and destined for some place

puissance actuellement ennemie, ou qui pourra l'être dans la suite de Sa Majesté Très-Chrétienne ou des Etats-Unis. Il sera permis également aux sujets & habitans susmentionnés, de naviguer avec leurs vaisseaux & marchandises, & de fréquenter avec la même liberté & sûreté, les places, ports & havres des Puissances ennemies des deux Parties contractantes, ou d'une d'entr'elles, sans opposition ni trouble, & de faire le commerce, non-seulement directement, des ports de l'ennemi susdit à un port neutre, mais aussi d'un port ennemi à un autre port ennemi, soit qu'il se trouve sous sa juridiction ou sous celle de plusieurs; & il est stipulé par le présent Traité que les bâtimens libres assureront également la liberté des marchandises, & qu'on jugera libres toutes les choses qui se trouveront à bord des navires appartenans aux sujets d'une des Parties contractantes, quand même le chargement, ou partie d'icelui, appartiendroit aux ennemis de l'une des deux; bien entendu néanmoins que la contrebande sera toujours exceptée. Il est également convenu que cette même liberté s'étendroit aux personnes qui pourroient se trouver à bord du bâtiment libre, quand même elles seroient ennemies de l'une des deux Parties contractantes, & elles ne pourront être enlevées desdits navires, à moins qu'elles ne soient militaires, & actuellement au service de l'ennemi.

ART. XXIV. Cette liberté de navigation & de commerce doit s'étendre sur toutes sortes de marchandises, à l'exception seulement de celles qui sont désignées sous le nom de contrebande: Sous ce nom de contrebande ou de marchandises prohibées, doivent être compris les armes, canons, bombes avec leurs fusées, & autres choses y relatives, boulets, poudres à tirer, meches, piques, épées, lances, dards, hallebards, mortiers, pétards, grenades, salpêtre, fusils, balles, boucliers, casques, cuirasses,

place belonging to a power, actually an enemy, or which may become such, of his Most Christian Majesty or the United States. It shall be equally permitted to the subjects and inhabitants above-mentioned, to navigate their ships and merchandizes, and to frequent, with the same liberty and security, the places, ports, and havens, of the powers, enemies to the two contracting parties, or one of them, without opposition or molestation, and to trade with them, not only directly from ports of the enemy to any neutral port, but also from one port of the enemy to another of the same, whether under the jurisdiction of one or more; and it is stipulated by the present treaty, that all free vessels shall equally enjoy the liberty of trade, and that every thing shall be judged free which is found on board the ships belonging to the subjects of one of the contracting parties, even though the cargo, or part of it, should belong to the enemies of one of them; excepting always, however, all contraband goods. It is equally agreed, that the same liberty shall extend to persons on board such free ships, even though they shall be enemies to one of the two contracting parties, and shall not be taken from the said ships, unless in arms, and actually in the enemy's service.

ART. XXIV. This free navigation and commerce is extended to all sorts of merchandizes, excepting only such as shall be deemed contraband or prohibited, and under such denomination are comprehended arms, cannons, bombs, with their fuses, powder, matches, piques, swords, lances, darts, halberds, mortars, petards, grenades, saltpeter, muskets, balls, bucklers, casques, cuirasses, coats of mail, and other arms of that kind, proper for the defence of soldiers;

railes, côtes de mailles, & autres armes de cette espece, propres à armer les soldats, porte-mousquetons, baudriers, chevaux avec leurs équipages, & tous autres instrumens de guerre quelconques : Les marchandises dénommées ci-après, ne seront pas comprises parmi la contrabande ou choses prohibées ; savoir, toutes sortes de draps & toutes autres étoffes de laine, lin, soie, coton ou d'autres matières quelconques ; toutes sortes de vêtemens avec les étoffes dont on a coutume de les faire, l'or & l'argent monnoyé ou non, l'étain, le fer, laiton, cuivre, airain, charbon, de même que le froment & l'orge, & toute autre sorte de blés & légumes ; le tabac & toutes les sortes d'épiceries, la viande salée & fumée, poisson salé, fromage & beurre, biere, huiles, vins, sucres & toute espece de sels, & en général toutes provisions servant pour la nourriture de l'homme, & pour le soutien de la vie ; de plus toutes sortes de coton, de chanvre, lin, goudron, poix, cordes, cables, voiles, toiles à voiles, ancres, parties d'ancres, mâts, planches, madriers & bois de toute espece, & toutes autres choses propres à la construction & réparation des vaisseaux, & autres matières quelconques qui n'ont pas la forme d'un instrument préparé pour la guerre, par terre comme par mer, ne seront pas réputées contrabande & encore moins celles qui sont déjà préparées pour quelq' autre usage : Toutes les choses dénommées cidessus doivent être comprises parmi les marchandises libres, de même que toutes les autres marchandises, & effets qui ne sont pas compris & particulièrement nommés dans l'énumération des marchandises de contrabande, de manière qu'elles pourront être transportées & conduites de la manière la plus libre par les sujets des deux parties contractantes dans des places ennemies, à l'exception néanmoins de celles qui se trouveroient actuellement assiégées, bloquées ou investies.

ART. XXV.

soldiers ; gun-locks, shouler-belts, horses and their trappings, and all other instruments of war whatever. The following merchandizes are not to be considered as contraband or prohibited, viz. all sorts of cloths, and other woollen stuffs, linen, silk, cotton, or other such matters ; all sorts of clothes, with the materials of which they are usually made ; gold and silver either in specie or otherwise, pewter, iron, latten, copper, brass, coals, and even wheat and barley, and all other sorts of grain and roots ; tobacco and all sorts of spices, salted and dried provisions, dried fish, cheese and butter, beer, oil, wine, sugar, and all kinds of salt, and, in general, all kinds of provision necessary for the nourishment of man, and for the support of life ; also all sorts of cotton, hemp, linen, pitch, tar, cords, cables, sails, canvas for sails, anchors, parts of anchors, masts, planks, timber and wood of all kinds, and all other things proper for the building and repairing of ships, and other matters whatsoever, which are not in the form of warlike instruments for sea or land, shall not be reputed contraband, much less such as are already prepared for other uses. All the articles above-mentioned are to be comprised among the free articles of merchandize, as well as all the other merchandizes and effects, which are not comprised and particularly named in the list of contraband merchandizes ; so that they may be transported and conducted, in the freest manner, by the subjects of the two contracting parties, into any of the enemy's ports ; excepting, however, that such places are not actually besieged, blocked up or invested.

ART. XXV.

ART. XXV. Afin d'écarter & de prévenir de part & d'autre toutes dissensions & querelles, il a été convenu, que dans le cas où l'une des deux parties se trouveroit engagée dans une guerre, les vaisseaux & bâtimens appartenans aux sujets ou peuple de l'autre allié, devront être pourvu de lettre de mer ou passeports, lesquels exprimeront le nom, la propriété & le port du navire, ainsi que le nom & la demeure du Maître ou Commandant dudit vaisseau, afin qu'il apparaisse par-là que le même vaisseau appartient réellement & véritablement aux sujets de l'une des deux parties contractantes. Ces passeports devront également être renouvelés chaque année, dans le cas où le vaisseau retourne chez lui dans l'espace d'une année. Il a été convenu également que les vaisseaux susmentionnés, dans le cas où ils seroient chargés, devront être pourvus non-seulement de passeports, mais aussi de certificats contenant le détail de la cargaison, le lieu d'où le vaisseau est parti & la déclaration des marchandises de contrebande qui pourroient se trouver à bord; lesquels certificats devront être expédiés dans la forme accoutumée, par les Officiers du lieu d'où le vaisseau aura fait voile: & s'il étoit jugé utile ou prudent d'exprimer dans lesdits passeports la personne à laquelle les marchandises appartiennent, on pourra le faire librement.

ART. XXVI. Dans le cas où les vaisseaux des sujets & habitans de l'une des deux parties contractantes, approcheroient des côtes de l'autre, sans cependant avoir le dessein d'entrer dans le port, ou, après être entré, sans avoir le dessein de décharger la cargaison ou rompre leur charge, on se conduira à leur égard suivant les réglemens généraux prescrits ou à prescrire, relativement à l'objet dont il est question.

ART. XXVII. Lorsqu'un bâtiment appartenant auxdits sujets, peuple & habitans de l'une des deux parties, sera

ART. XXV. In order to remove and prevent dissensions and quarrels on either side, it is agreed, that in case one of the two parties shall find themselves engaged in a war, the ships and vessels belonging to the subjects or people of the other ally, shall be provided with marine passports, which shall express the name, property, and burden of the ship, as well as the name and place of abode of the master and commander of the said ship, in order that it may from thence appear that the same ship really and truly belongs to the subjects of one of the two contracting parties. These passports are to be annually renewed, in case the ship returns home in the space of one year. It is also agreed, that the above-mentioned ships, in case they shall be laden, are to be provided not only with passports, but also with certificates, containing the particulars of the cargo, the place from whence the ship came, and a declaration of what contraband goods are on board; which certificate is to be made in the accustomed form, by the officers of the place from whence the ship sailed; and if it be judged necessary or prudent, to express in the said passports the persons to whom the merchandize belongs, it must be freely complied with.

ART. XXVI. In case any ships of the subjects and inhabitants of one of the two contracting parties should approach the coast of the other, without any intention to enter the port, or, after having entered it, without any intention to unload their cargo, or break bulk, they shall conduct themselves, in that respect, according to the general rules prescribed, or to be prescribed, relative to that matter.

ART. XXVII. When any vessel, belonging to the said subjects, people, and inhabitants, of one of the two parties,

sera recontré naviguant le long des côtes ou en pleine mer, par un vaisseau de guerre de l'autre, ou par un armateur, ledit vaisseau de guerre ou armateur, afin d'éviter tout désordre, se tiendra hors de la portée du canon, & pourra envoyer sa chaloupe à bord du bâtiment marchand, & y faire entrer deux ou trois hommes, auxquels le Maître ou Commandant du bâtiment montrera son passeport, & constatera la propriété du bâtiment, & après que ledit bâtiment aura exhibé un pareil passeport, il lui sera libre de continuer son voyage, & il ne sera pas permis de le molester ni de chercher en aucun manière, de lui donner la chasse ou de le forcer de quitter la course qu'il s'étoit proposée.

ART. XXVIII. Il est convenu que lorsque les marchandises auront été chargées sur les vaisseaux ou bâtimens de l'une des deux parties contractantes, elles ne pourront plus être assujetties à aucune visite, toute visite & recherche devant être faites avant le chargement, & les marchandises prohibées devant être arrêtées & saisies sur la plage avant de pouvoir être embarquées, à moins qu'on n'ait des indices manifestes ou des preuves de versemens frauduleux. De même aucun des sujets de Sa Majesté Très-Chrétienne ou des Etats-Unis, ni leurs marchandises, ne pourront être arrêtés ni molestés pour cette cause, par aucune espèce d'embargo, & les seuls sujets de l'Etat, auxquels lesdites marchandises auront été prohibées, & qui se seront émancipés à vendre & aliéner de pareilles marchandises, seront dûment punis pour cette contravention.

ART. XXIX. Les deux parties contractantes se sont accordées mutuellement la faculté de tenir dans leurs ports respectifs des Consuls, Vice-consuls, Agens & Commissaires, dont les fonctions seront réglées par une convention particulière.

ART. XXX. Pour d'autant plus favoriser & faciliter le commerce que les

parties, shall meet, while sailing along the coast or on the open sea, a ship of war or privateer, belonging to the other, the said ship of war or privateer, in order to avoid disorder, shall bring such vessel too, and send her boat with two or three on board her, to whom the master or commander of the merchantman shall produce his passport, and prove the property of the vessel; and as soon as such passport shall be produced, the master shall be at liberty to pursue his voyage, without being molested, or in any other manner driven or forced to alter his intended course.

ART. XXVIII. It is agreed, that when the merchandizes shall be put on board ships or vessels of one of the two contracting parties, they shall not be subject to be examined again, all such examination and search being to be made before loading, and the prohibited goods being to be stopped and seized on shore, before they could be embarked, unless there are strong suspicions or proofs of fraudulent practices. So that no subject of his Most Christian Majesty, or of the United States, can be stopped or molested for that cause by any kind of embargo; but such subjects of the State, who shall presume to vend or sell such merchandizes as are prohibited, shall be duly punished for such infraction of the treaty.

ART. XXIX. The two contracting parties mutually grant each other the right of maintaining, in their respective ports, Consuls, Vice-Consuls, Agents, and Commissaries, whose business shall be regulated by a particular convention.

ART. XXX. In order further to forward and facilitate the commerce between

les sujets des Etats-Unis seront avec la France, le Roi Très-Chrétien leur accordera en Europe un ou plusieurs ports francs, dans lesquels ils pourront amener & débiter toutes les denrées & marchandises provenant des treize Etats-Unis : Sa Majesté conservera d'une autre côté, aux sujets desdits Etats, les ports francs qui ont été & sont ouverts dans les îles Françaises de l'Amérique : de tous lesquels ports francs lesdits sujets des Etats-Unis jouiront, conformément aux Règlemens qui en déterminent l'usage.

ART. XXXI. Le présent traité sera ratifié de part & d'autre, & les ratifications seront échangées dans l'espace de six mois ou plus tôt si faire se peut : en foi de quoi, les Plénipotentiaires respectifs ont signé les articles ci-dessus, tant en langue Française qu'en langue Angloise, déclarant néanmoins que le présent Traité été originairement rédigé & arrêté en langue Française, & ils y ont apposé le cachet de leur armes.

Fait à Paris le sixième jour du mois de Février, mil sept cent soixante-dix-huit.

C. A. GERARD,  
B. FRANKLIN,  
SILAS DEANE.  
ARTHUR LEE.

between the subjects of the United States and France, the Most Christian King will allow them in Europe one or more free ports, to which they may bring and sell all the commodities and merchandizes of the Thirteen United States. His Majesty will also grant to the subjects of the said States, the free ports, which have been, and are open, in the French Islands of America, all which free ports the said subjects of the United States shall enjoy, conformably to the regulations which determine that matter.

ART. XXXI. The present treaty shall be ratified by both parties, and the ratifications exchanged, within the space of six months, or sooner if may be. In witness of which, the respective Plenipotentiaries have signed the above articles, both in the French and English language, nevertheless declaring, that the present treaty was originally digested and settled in the French language, to which they have affixed their hands and seals.

Given at Paris the sixth day of the month of February, one thousand seven hundred and seventy-eight.

C. A. GERARD.  
B. FRANKLIN.  
SILAS DEANE.  
ARTHUR LEE.

*The following Paper shews that the late Earl of CHATHAM was well informed of certain transactions. It is an extract from a letter sent to his Lordship in February, 1778.*

[Duplicate.] Feb. 12, 1778.  
[Secret and confidential.]

“ I had the pen in my hands some days ago to have wrote you, but I had then the best reason to be assured, that what had been furnished was not done; though I was, by the same means, confirmed, that what is now finished was at that time far advanced in its last stage. The moment is now come; the ill-

humour is over; the opportunity is irretrievably lost. (You see I speak with an allusion.) The *masque*, in consequence, is immediately to be thrown off. I should be very sorry to mislead you; and I know well that when there is question of *panice fides*, it is true to the last minute that *multa cadunt, &c.* To the following particular, in almost as many words, I do however call your attention.

“ 1. I have, with my own eyes, seen what to me is undoubted evidence, that there is now concluded a *treaty* between the French Court and the Congress, by which the thirteen Colonies

lonies are *acknowledged* and *declared* an *Independent State* or *States*, and contracted with in that quality. I believe it is (whatever more or else) a treaty of commerce.

“ 2. I have the same evidence that this will be a compleat act, in form and effect, before the 15th of next month (March).

“ 3. I know that there are ships now sailing from Nantz for America, that are to be avowedly escorted by French men of war; that in one of those ships there goes a confidential person, entrusted by the deputies of the Congress here; and I have to conjecture, that that same person may be the bearer of the act now perfected.

“ 4. The language (I know without hazard of deception) held by the deputies here, is, that a reconciliation between the Mother Country and the Colonies is now impossible, viz. because of the engagements with other powers, which cannot be receded from. They use a well known phrase of an arch enemy of the country he has stabbed through and through in its most vital parts; they are now, they say, passed the *Rubicon*.

“ 5. They also say, that whether the public at large know it or no, the Ministry of England do know, that a reconciliation is impossible.

“ 6. There have been since the adjournment before the holidays, several attempts (the number *half a dozen* has been named) by persons here upon the spot, from the Government of England, to treat, or *pour parler* with the deputies, whose endeavours have all been rejected, and, indeed, scouted.

“ 7. Of these I am infallibly certain as to one, that is, a Mr. Hutton, the head of the sect of the Moravians, who, it is known, and by himself avowed, has personal access to the K—. This person, strange as he may seem for an internonce, did

make direct and formal applications repeatedly, during the short stay of two or three weeks, to Dr. F. who was (he said himself) the first person he paid a visit to, being an old acquaintance: he got answers totally negative, and the poor old *deaf* man, in the overflowing of his heart, shed tears that his errand was so fruitless. After his return to England, he writ a letter to Dr. F. in which (according to an account I have had of it, which I can give credit to) he said, he could say, *from the highest authority*, that if the Colonies would make the smallest advance, there might be an immediate reconciliation.

“ I just add two words of my own: first, what I do presume you must know much better than me;—I am sure it is long since there have been letters in England from Sir W. H's army. I myself know from one in a very distinguished station [to a M. of P.] saying that all thoughts of conquering America were over *with them*. Secondly, from my own observation and reasoning, I have for six months past been of the opinion, that dreadful as the remedy is, a war anticipated and declared with France would have been both security and *economy*, if not gain.

“ P. S. I am apt to think the instructions of the Congress to their deputies\*, lately published in all the London papers, are not far from the truth; and I imagine Government has given them to the public, as an essay upon the passions, at an hour of extremity; for if my conjecture is right, they must have had them in their possession a good while; as I suspect the discovery was the fruit of the robbery committed upon Mr. L.—, one of the deputies now here, who had his locks broke open, and his papers carried away, from his lodgings at Berlin, when he was there last Summer.”

\* See Volume for 1777, page 509.  
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*An account of the capture of the Island of Dominica, Sept. 8, 1778, published by authority, at Paris.*

The 5th of September the Marquis de Bouille, Governor of Martinico, formed the project of seizing the island of Dominica, situated between Martinico and Guadaloupe.

He embarked the 6th with 1800 men, composed of the regiment of Auxerrois, and 200 grenadiers; 200 chasseurs drawn from the regiment of Viennois and the Colonial regiment of Martinico; the company of cadets of St. Pierre, and 200 sibusstiers and free Mulattoes. These troops were embarked on board 18 ships, escorted by the Tourterelle frigate, commanded by the Chevalier de Laurence; the Diligente frigate, by the Vicome de Chilleau; the Amphitrite, by the Sieur Jassaud; and the Etourdie Corvette, by the Marquis de Montbas.

The Marquis de Bouille proposed to begin the attack at break of day, to elude the fires from Fort Cachacrou, situated on an advanced point at the south extremity of the island, from the principal fort of the city of Rousseau, which was furnished with 22 pieces of cannon, and from the different batteries on the coast where they prepared to make a descent: but all these forts uniting in forming a defence too considerable to hope that the fire from the frigates could silence them, it was resolved to make two principal attacks with all the troops between the city of Rousseau and Cachacrou; a false one was to be made by the sibusstiers to the north of the city; and the farther to insure their success, the Sieur Fonteneau, Captain of a corsair, was ordered to land 50 sibusstiers, with some cannoniers behind Fort Cachacrou, the garrison of which was weak, in order to take it by surprize. The Diligente frigate was to cover this attack, and was to sail with the corsair an hour before the fleet, in order to

take the fort in the night. The order for the debarkation was as follows:

The Viscount de Damas, Colonel of the regiment of Auxerrois, was to land with the chasseurs, and immediately dispatch a detachment of thirty men to seize the battery of Loubiere, situated at the north of the place of debarkation, which commanding the plain, might be able greatly to annoy the troops and transport ships. The Marquis de Chilleau, Colonel Commandant of the regiment of Viennois, with his grenadiers, accompanied by the Marquis de Bouille, had orders to land after the chasseurs, who were to be followed by the regiment of Auxerrois.

Such were the dispositions of the Marquis de Bouille, and the 6th of September, at seven in the evening, this small fleet set sail for Dominica; the Diligente and the Amphitrite composed the advanced guard, and were followed by some corsairs, on board of one of which was Count Tilly, charged with the false attack, having with him the two hundred sibusstiers. The Tourterelle, on board of which was the General, who commanded the main body, was composed of the ships which had on board the Viscount de Damas, with 200 chasseurs and the free Mulattoes; these were followed by the regiment of Auxerrois on board other vessels, covered by the l'Etourdie Corvette, which composed the rear guard.

The fleet was retarded by contrary winds, and did not arrive in sight of Dominica till the 7th, at break of day, but made good their landing by eight in the morning.

The attack against Fort Cachacrou was immediately begun: the Sieur Fonteneau being first landed, with 60 sibusstiers or cannoniers, covered by the Diligente frigate: the fort was soon seized, and part of the garrison killed; the rest were made prisoners of war. The Viscount de Chillieu

Chillieu, who commanded the Dilligente, took or drove on shore seven English ships, most of which were privateers.

The Viscount de Damas landed with his chasseurs, and as soon as he set foot on shore, with some companies of the regiment which had followed him, the grenadiers not having yet landed, he detached the Sieur de la Châize, second Captain of the Auxerrois chasseurs, with a body of 30 of them, who made the greatest haste to the battery of Loubiere, which together with the fort at Rouffseau, kept up a continual fire against our frigates and transports, and which commanded also the pass to Loubiere: the Sieur de la Châize, with his followers, threw themselves into the embrasures, the only way by which the fort was accessible; and notwithstanding the fire of the artillery, seized the fort without the loss of a man.

At the same time, the Viscount de Damas, who was to seize the heights, which commanded the city and fort of Rouffbau, marched with the greatest expedition, and had no sooner seized them, than the Marquis de Beauville, with the Marquis du Chillieu and his grenadiers, were arrived at the suburbs of the city, within 300 paces of the fort; whilst the rest of the troops, composed of the chasseurs and grenadiers, seized the other heights. The fire from the fort continued very strong for some time, notwithstanding the fire from the Tourtenelle; but the French General making dispositions for an assault with his grenadiers, who were furnished with ladders, &c. the enemy, struck with the boldness of the attack, and the rapidity with which our troops had marched, hung out a white flag, and demanded to capitulate.

The capitulation was signed at five in the evening; at six the English troops, which consisted of 500, com-

prising the militia, laid down their arms, and the King's troops entered the fort, where they found 22 pieces of cannon, of 36 and 24 pounds ball, and a mine charged.

Governor Stuart, Commander in Chief at Dominica, at the same time capitulated for all the forts, batteries and fortresses on the island. We have found in the three forts of Cachacrou, Rousseau, or Young, Major Bruce's, as well as in the other batteries, 164 pieces of cannon, two of which are of brass, 24 mortars of the same metal, and a considerable quantity of ammunition and gunpowder.

The officers and soldiers of the regular troops are made prisoners of war, and the militia were set at liberty on laying down their arms.

The inhabitants have obtained the conservation of their laws and customs till a peace takes place; and have received the best treatment possible on the part of the soldiers: there was no disorder nor pillage suffered; and the General, to shew the troops how much he was satisfied with their conduct, gave a half Portuguese piece to each soldier and slobustier.

The Marquis de Chillieu is appointed Governor of the island; the Baron de Fagan, second in command; the Sieur de Beaupuy, King's Lieutenant of the city and fort of Rouffseau; and the Sieur Barthel, Major; and a garrison is left on the island.

The French had not one killed in this expedition, and had only two officers of the regiment of Auxerrois and some slobustiers slightly wounded.

The success of these operations is attributed to the just dispositions of the General, and the courage of the officers both by sea and land; all the troops shewed the greatest proofs of bravery, as well as the Mulattoes and free Negroes. The proximity of an English squadron, under the command of Admiral Barrington, composed of three ships of the line, and 12 frigates, at anchor so near as

at Barbadoes, must have put a stop to the enterprize, if it had not been contrived with the greatest wisdom, and executed with the greatest celerity.

*Extract of a Letter from Paris, Q<sup>B</sup>. 29.*

“ Monf. de Bouille, Commandant at Martinico, after having ordered 1500 of the King’s troops to embark on board three frigates, sailed and took possession of Dominica, with the loss only of five men killed and two wounded. An immense quantity of provision and ammunition of every kind were found on the island, with 120 pieces of cannon. Five hundred men were made prisoners, 100 of whom were regulars, the other 400 were militia.”

*London, Nov. 3.* In consequence of the reports circulated within these two days, relative to the island of Dominica, some gentlemen, interested in that island, applied at the Admiralty Office, and received the following as the substance of the intelligence :

“ Letters of the 7<sup>th</sup> of September are received from Lieutenant-governor Stewart, mentioning that a force, under the protection of four frigates and two brigantines, supposed to be French, had landed at Grand Bay and Cachacrou in that island, and were in possession of those places ; that the Lieutenant-governor immediately dispatched intelligence to the President of the Council at Antigua, and to Rear-admiral Barrington at Barbadoes, which the Admiral received on the 12<sup>th</sup>, in the evening, and directly completed the provisions of his fleet, consisting of two line of battle ships, besides frigates and sloops, and sailed on the 15<sup>th</sup>, in the morning, from Carlisle-Bay, for the protection of the islands in general.”

Thursday last arrived in the Downs from Nevis, but last from Eustatia, the William, Capt. Hatch, who the same night came to town, and gives

the following account: that the French, after taking the two forts at Dominica, marched for Rousseau, which they laid siege to, when the inhabitants capitulated: the terms were, that they should pay eight hundred Joes for the expences of the expedition, in consideration of which their goods, &c. should be safe from plunder, and that they should take the oaths to the French King ; which terms were accepted of, and the French troops were to embark immediately, as supposed for St. Kitt’s, or St. Vincent’s. It is said there were upwards of six thousand regular troops at Martinico.

*Extract of a Letter from Barbadoes, Sept. 17, 1778.*

“ Last Saturday evening there came an express to Admiral Barrington from Lieutenant-governor Stewart of Dominica, that he was attacked by the French ; two forts were taken before the express set off. We have heard the island was taken last Sunday se’ennight.

“ Since the above three other expresses have come from Antigua, that they are in the utmost danger : they expect to be attacked every hour ; on which the Admiral sailed last Tuesday morning (Sept. 15) from this place, we suppose for Antigua: he has taken every ship of force, except one, into the King’s service.

“ The Admiral has been these two months waiting for orders from England ; but has received none. We have heard that war was declared in France the 28<sup>th</sup> of last June ; but we have no account from England about it. We have an account *for certain*, that it was declared the 15<sup>th</sup> of last month at Martinico.

“ There is a French prize now coming in, but it is doubtful what is to be done with her. We are now left open for either the French or the Americans, if they choose to come ; they can take us without any trouble. I do assure you we expect a visit very soon.

soon. God only knows who we may belong to to-morrow or next day."

*The following is a translation of the King of France's Declaration of War at Martinico; mentioned in the preceding letter:*

The insult offered to my flag by a frigate belonging to his Britannic Majesty, in her treatment of my frigate the Belle Poule; the capture by an English Squadron of my frigates the Licorne and Pallas, and of my cutter, the Coureur, contrary to the law of nations; the capture at sea and confiscation of ships belonging to my subjects, by the English, contrary to the faith of treaties; the continual interruption and injury occasioned to the maritime commerce of my kingdom, and of my colonies in America, as well by ships of war as by privateers, authorized by his Britannic Majesty; the depredations committed and encouraged, by which these injurious proceedings, but chiefly the insult offered to my flag, have forced me to lay aside that moderation which I proposed to observe, and will not allow me any longer to suspend the effects of my resentment.

The dignity of my crown, and the protection which I owe to my subjects, oblige me to make reprisals, and to act in a hostile manner against the English nation. I therefore authorize my ships to attack, and endeavour to take and destroy all ships, frigates, and other vessels they may meet with, belonging to the King of England, and also to seize and detain all English mercantile vessels which they may encounter; and I likewise authorize my troops to attack, seize, and occupy the possessions of his Britannic Majesty.

I therefore write this letter to inform you, that it is my desire, that you employ all the land and sea forces under your direction, in attacking and seizing the possessions of the King of England, his ships, frigates, and

other vessels, also the merchant ships belonging to his subjects, and for that purpose you may exercise, and cause to be exercised, all manner of hostilities authorized by the laws of war; I am assured in finding in the subjects of my cause, in the courage and skill of my land and sea forces; in the bravery and attachment of my soldiers and sailors; and in the love of my subjects in general; the resources which I have always experienced from them, my present conduct having no other tendency than to promote their happiness.

I pray God, Monsieur de Marquis de Bouille, that he may take you under his holy protection.

(Signed)

LOUIS.

DE SARTINE,

*Versailles, 28th June, 1778.*

The following are copies of letters to and from Mr. Alderman Oliver.

*London, Sept. 4, 1778.*

Sir,

Deputed by and in behalf of many fellow-citizens, whose wishes coincide with ours, we desire to know whether our intention to propose you to the Livery, in Common-Hall assembled, to be Lord Mayor for the year ensuing, meets with your approbation.

Fully sensible that you are a firm and true friend to the people, we indulge the pleasing hope of your consent, and looking forward with pleasure, anticipate the security and blessings derived from a good magistrate.

We are, Sir,

Your most humble servants,

*Thomas Dunnage, Thomas  
Gorß, William Lem, Job  
Newman, Thomas Harri-  
son, Samuel Thorp.*

*To Richard Oliver, Esq.*

(Copy, in answer to the above.)

GENTLEMEN,

I am extremely sorry that the situation, to which extreme misconduct and extreme infatuation have at length

length reduced this country, constrains me to return to your obliging compliment an absolute and firm refusal of the honour you propose, by your intended nomination of me at Michaelmas.

Instead of taking upon me any further trust, I must prepare to resign back into the hands of my fellow-citizens those trusts with which they have already honoured me.—I mean my gown as an Alderman of London, and my delegation as one of their Representatives in Parliament: The greatest part of my property is vested in the once flourishing West-India Islands, a part of the remaining Colonies, which I still hope continue to belong to the crown of Great Britain; but in whatever possession they may now or hereafter be, the precarious state of that much injured property will speedily demand my presence; and it never was my intention to hold an office, and neglect the duties by absence. My case in this respect is only similar to that of many persons more, whose property is situated as mine is; and those who seem least willing to admit it, will find at last that there is a reciprocal duty, and that allegiance will always go together with protection and justice.

In every part of the world I shall always carry with me a grateful remembrance of the honour conferred upon me by the good opinion and confidence of my fellow-citizens, and shall quit a country, in which I have been so honoured, with the deepest regret—a regret which receives no alleviation, but what is furnished by those who have caused the necessity of quitting it.

I am, Gentlemen,  
With the greatest esteem and gratitude,  
Your much obliged,

And faithful humble servant,

Margate, RICHARD OLIVER.

Sept. 6, 1778.

To Messrs. Dunnage, Gorst,  
Lem, Newman, Harrison,  
and Thorpe.

For the REMEMBRANCE.

August, 19, 1778;

The following paragraph appeared in a ministerial paper of Tuesday last:

“It is strange that Admiral Keppel’s conduct should so engross the public attention, that while one party is extolling, and another reprobating it, they should both forget to bestow the best deserved encomiums on Sir Hugh Palliser. That gallant officer displayed both *conduct* and *courage* in the late engagement: he was found to be in almost every post, where the danger of this country required his assistance; and his intrepidity in running in between some of our disabled ships and the enemy, prevented them from sinking, or from falling into the hands of the French.”

The following is a well known fact.

“Sir H. P.—’s conduct saved the whole French fleet. He had the best manned ship in the fleet, and lay to, though to windward of the whole, with his fore-top sail *unbent*, for above four hours, before he attempted to bring another to the yard. Our gallant Ad— absolutely sent a frigate to tell him “he only waited for him to bear down to his station to engage again.” And the *signals* for five or six particular ships of his division were repeatedly made to make more sail.”

For the REMEMBRANCE.

The following paper being delivered to me, I think it necessary you should impart it to the public, that the *Whig Admiral*, at the head of our fleet, should no longer be liable to such treachery, and which is the more necessary, as *Jemmy Twitche’s* puff-balls have been very industrious to cry down the *Whig Admiral*, that he might raise his minion the V. Admiral upon the other’s ashes.

“The principal cause of Mr. Keppel’s not re-attacking the French

at

at half past three in the afternoon (being at that time totally refitted from the damages sustained in the morning) was *Sir H. P.*'s not joining him, agreeable to signal from the line, he being at that time four miles to the windward with his division. Mr. Keppel observing a non-compliance, made other signals for the respective ships of *Sir H.*'s division to bear down to him, which in complying with, *Sir H.* called them back under the wake. Captain *Laforest*, of the *Ocean*, distressed how to act in consequence of this counter order, sailed up to *Sir H.*, to ask whom he was to obey. Mr. Keppel still observing that division continuing to windward, and neither of them obeying the signal, made one for the *Fox*, Captain *Windsor*, to come to him, and desired him to go with his compliments to *Sir H.*, to inform him that his signal had been unremittedly kept up for him and his division to form the line; he supposed they did not see it, as they had not complied with it, and that they only waited for him and his division's coming down, to renew the action. It was night before the division did come down, so the occasion was lost, by the French disappearing next morning. Mr. Keppel's situation is not to be expressed, when he found himself defeated in the fair prospect he had. *These facts will appear in every log-book in the fleet*; so that if an enquiry into this affair was to take place, his conduct will bear the strictest scrutiny, as hitherto no visible reason has appeared as an excuse in *Sir H. P.* for not complying. *Sir Robert Harland's* division, and Mr. Keppel's, who had sustained, to all appearance, as much damage as *Sir H.*'s, those two divisions were refitted for action at the time above-mentioned, and *Sir H.* had not repaired his, lying all the time with his fore-top-sail shattered, and not refitted. The damage sustained of loss

of men on board *Sir H.*, was chiefly owing to cartridges blowing up between decks."

*For the REMEMBRANCE.*

Having seen since my late arrival at Portsmouth, a very scandalous paragraph in a Morning Paper of the 15th of last month, [*the preceding paragraph*] directly charging me with being the cause of Admiral Keppel's not re-attacking the French fleet, in the afternoon of the 27th of July last, containing many gross falsehoods, calculated expressly for the purpose of wounding my reputation, and to represent me in a culpable light to the whole nation; and being well informed that injurious reports of the like nature have been industriously propagated for the same purpose by some malignant wicked people, it becomes necessary for me, in order to vindicate my own conduct, to publish such particulars relating to the battle on that day, as may enable the public, who have a right to be fully informed of the truth in a matter of so much importance to them, to judge whether I was the cause of the French fleet not being re-attacked on that afternoon: I therefore request you will publish the inclosed paper, containing the facts necessary to be known, for justifying me from the said foul aspersions. After the nation is in possession thereof, if any individual, or if parliament, or the nation at large, call for a public enquiry, I am ready to stand the issue of such enquiry, but I shall not answer any questions or queries in newspapers, or otherwise. Your's, &c.

HUGH PALLISER.

*Pall-mall, Nov. 4.*

At about six o'clock in the morning on the 27th of July, the British fleet was upon a wind on the larboard tack, lying up about W. by N. my division leading on that tack, the French fleet was to windward; at half past six a signal was made for several of the

the ships of my division to chace to windward, which occasioned them to stretch far a-head.

At ten the whole fleet tacked together per signal, and stood towards the French fleet, who soon after were plainly discovered to be on the larboard tack, in a regular, well formed close line of battle a-head; our fleet approached them without any order or line of battle. The ships of my division were separated from me by the above signal; the ships of the other two divisions, though not in a regular line, appeared to be nearly so, and in a collected body, excepting the Duke, who was far to leeward.

About eleven a firing began between the headmost ships in our van and some ships in the van of the enemy's fleet, which became general, as our ships got up in succession; each proceeding from that part of the enemy's fleet, which they respectively fetched, on towards the enemy's rear, engaging as they advanced along their line.

Admiral Keppel with his division fetched the French Admiral, and there began to engage.

About noon, in the Formidable, I fetched within random shot of the Duke de Chartres ship, who commanded the van division of the enemy's fleet; he fired many broadsides at the Formidable, but being at too great a distance, she did not return a single shot, but reserved her fire till she came within point blank shot of the ship she could fetch: there I began to engage, and passed on to the French Admiral in the centre of the line, engaging within musquet shot, and alone; having no second either a-head, or a-stern, the ships of my division being scattered and separated from me by signal as aforementioned: however, they all got into action, and though not in a connected body with their Admiral, did their duty so well, that they suffered the most, as appears by the damages sustained by those ten

ships; being equal to the damages sustained by all the twenty ships that composed the other two divisions. This was occasioned by the regular and connected line of the enemy's ships being preserved; whereby they were enabled to employ a greater force upon each ship in the rear of our fleet, who were separated at a considerable interval from each other, occasioned by the before-mentioned signal to chace, and from hence arose the numerous damages which the Formidable sustained, being subjected to the angular fire of a long range of the enemy's ships as she continued her progress along their line. This comparison of the damages appears by the account published from Admiral Keppel's letter of the killed and wounded, which was as follows:

Admiral Keppel's division, 43 killed, and 142 wounded.

Vice-admiral Sir Robert Harland's division, 22 killed, and 45 wounded.

Vice-admiral Sir Hugh Palliser's division, 68 killed, and 186 wounded.

By the blowing up of some powder on board the Formidable, about twenty men were hurt, but I do not recollect that any one was killed thereby. The accident was occasioned by a man having a cartridge under his arm at the time he fired his gun. It is said the like accident happened on board other ships.

I proceeded on with the Formidable to the sternmost of the enemy's ships, keeping my mizen topfail a-back all the time, and engaged every ship within musquet shot, the two last of which appeared not to have sustained any damage from any of our ships that had passed before us, not a shot-hole being to be seen in their sails: the Formidable brought down one of the enemy's ships main-yard, which ship appeared to be otherwise much damaged; for she quitted their line, and went off before the wind, attended by a frigate.

Between

Between two and three o'clock, I had passed the sternmost ship of the enemy's line; at this time Admiral Keppel was at a distance, coming up, and a number of ships about him, and, I think, with the signal for battle flying. I concluded he was advancing to renew the battle: Vice-admiral Sir Robert Harland was, with several ships, to windward of the rear of the enemy. I immediately wore the Formidable, and laid her head towards the enemy again, in order to endeavour to get into battle again, expecting it to be renewed when Admiral Keppel came up. We were then exactly in a line with the enemy's line, and at about random shot from their sternmost ships. In this situation the Formidable lay a considerable time, no other ship near her. Soon after this the van and centre of the enemy broke their line, and appeared to be in confusion; some with their heads one way, some another.

The Victory shortened sail, and unbent her main-top sail; and about this time some of the enemy's ships appeared to be filing off towards us, and two or three of their fresh ships standing directly for the Formidable; I therefore wore again, and laid her head towards Admiral Keppel to meet him;—then the enemy's ships edged away, and pointed to leeward of our fleet, and began to form the line in that direction.

When the Victory and Formidable met, it was past three o'clock; the Victory passed the Formidable to windward, wore, passed under her stern, run down to leeward of her, and made sail a-head; this left the Formidable at a distance *a-stern*, and somewhat to windward of the Victory's wake, though the least so of any ship when she first hauled the wind. A signal was made for ships to windward to bear down into the Admiral's wake, which signal I repeated, for it was understood to be for Vice-

VOL. VII.

admiral Sir Robert Harland and his division to bear down; who was then far to windward, and he accordingly did bear down, and brought up in the Admiral's wake, then nearly a-breast of the Formidable, and a little way to leeward of her.

At this time it was apparent to the rest of the fleet, (if it was not so to those in the Victory) that the Formidable was not in a manageable condition; we were then employed in knotting, splicing, &c. to get the ships under command, and to be able to make sail to get up with the Admiral, who was making sail on the starboard tack, the French fleet then a-stern doing the same.

After Sir Robert Harland had been some time in the Admiral's wake, he with his division (by orders it is said) crowded all the sail they could carry, to get a-head of the Admiral's division.

Late in the evening we saw the Admiral had made the signal for some particular ships of my division, (not the Formidable's, her incapacity being so apparent) all which signals I repeated; the Ocean, and such of them as were under command, bore down according to the signal; others were not in a governable condition, and being employed as I was, in knotting, splicing, &c. did not immediately bear down. It is to be observed, that the Formidable, and the ships of my division, were the last that came out of the engagement, were the most damaged, and had had least time to refit; and that it is the disabled ships of my division that are alluded to in Admiral Keppel's letter, where he says, "The object of the French seemed to be the disabling of the King's ships in their masts and sails; in which they so far succeeded, as to prevent many of the ships of my fleet being able to follow me when I wore to stand after the French fleet, &c."

If, according to the preceding paragraph,

N



paragraph, extracted from the Admiral's own account, they were unable to follow him, going towards the enemy, they certainly were equally unable to follow him, when he immediately made sail the contrary way, and it was unreasonable to suppose them capable of taking, and keeping their stations in a line of battle, at a cable's length asunder, whilst in that condition.

Can any one possibly believe (as the dark assassin asserts) that Admiral Keppel called those same crippled ships to him, in order to renew the attack, and at the moment when he had just sent Sir Robert Harland away from him, with his division of fresh ships, who had been the longest out of the action, and had had the most time to repair their damage? besides, the Admiral's letters declare, that it was not his intention to re-attack before the next morning.

At night, the Fox frigate, Capt. Windfor, came to the Formidable, with a message from the Admiral to me, "That he wanted the ships of my division to come into his wake;" but said not a word about his waiting for them, in order to renew the attack, as is falsely asserted. He was answered by myself, from the stern-gallery, in the following words, "Acquaint the Admiral I have repeated his signal for it;" and was going to say, "Tell him that the moment my ship is under command, I will endeavour to get nearer to him." But the company of the frigate interrupted, by giving three cheers, which the Formidable's people returned. It then blowed fresh, was dark, and the frigate passed so quick, that there was not time to say any thing more which could have been heard.

The night was cloudy, with rain, and very dark; it required all the tattered sails the Formidable could possibly set in the afternoon, and in the night to keep way with the Admiral, so that we could only spare one

top-sail at a time to be unbended, in order to bend others. After we had knotted and spliced as much rigging as we could to secure the masts, and make it safe to set sail upon them, and having shifted a fore and mizen top-sail, the ship was then under command, and, long before day-light, the Formidable, and every ship of my division, were in the Admiral's wake, expecting to engage immediately at day-light, but the enemy's fleet were gone off.

To Sir H—— P———R.

Your letter, prefacing the account of the action, is too curious to pass unobserved. Sir H—— P——, that man of condescension, to become a writer in an Evening Post, is matter of some surprize, especially when such honourable mention had been made of him in the Gazette, and no Accusation of any kind against him, except his own construction of an anonymous paragraph in a public paper. It reminds me of an old vulgar adage, that "the galled horse will wince."

The account states, that our fleet approached that of the enemy without any order or line of battle, and that the ships of your division were separated from you by a prior signal, seeming to insinuate what indeed you afterwards advance, that you were alone. Were the Ocean, Terrible, Robuste, and Defiance, more separated from you than they had generally been during the cruise.

The account states, That Admiral Keppel fetched the French Admiral, and there began to engage; and that you in the Formidable fetched the Duke of Chartres, who fired at you, but that you did not return his fire, as you were only in random shot. If you mean you were more fired at than the center ships, you go from the truth; many reasons are to be given to prove the contrary. The Foudroyant, Victory, and Prince George, which formed the center, were

were likewise fired at, and struck by several, (not from the van command- ed by the Duke of Chartres, they al- low he kept at a distance) nor did they on that account return his fire.

But what you mean when you say you engaged alone, having no ship a-head or a-stern, I leave to the Cap- tains of the Ocean, Robuste, Ter- rible, and Desiance to answer. The center ships *thought they saw the Ocean a-head of you, and several ships a-stern of you; let them and you settle the distance.*

The difference you alledge in kill- ed and wounded, is easily accounted for; and though I would suppose you *was only misinformed, when you say, that about twenty men were wounded by the accident of the blowing up of your own powder, yet when you write to the public you should be more accurate.* The hospital books at Ply- mouth will prove receiving twenty- seven men blown up by powder from the Formidable; and other accounts, which perhaps you have taken care should not be so easily proved, stated nine men killed, and who died of their wounds in consequence of that accident. Some other accounts, in your division, if examined, would appear, *as you say, to have arose from accident—one ship striking into another by accident, &c. &c.*

As to the Formidable carrying away the main-yard of one of the enemy's ships, though I think it very difficult in ships passing on different tacks to ascertain precisely the da- mage any one in particular had done the enemy, yet I am far from deny- ing you the credit of a chance shot, that might come from the Formidable as likely as from the Ocean; but I will say a man must be hard drove who pomposly claims the merit of such signal service. Three other ships of your own division claim the merit of this famous main-yard, and will dispute the laurel with you.

I should suppose your watch was down, or you had not turned your glasses, when you say "between two and three, I had passed the sternmost of the French fleet;" though, jesuiti- cally speaking, you may mean you had passed them a long time.

You say a signal was made for the ships to bear down, which you re- peated to Sir Robert Harland. I shall only say, you would have done better to have obeyed it, and have left Sir Robert Harland, who evident- ly did not take his motions *from you* to have seen and understood the Ad- miral's directions through his own medium.

You say the Formidable was not in a manageable state; but you forgot, in a former paragraph, that you wore twice without a signal after the ac- tion; but now when the signal was made, you became quite unmanage- able. I cannot doubt your words, but am at a loss for the cause.

The Formidable appeared to have her fore-top-sail much torn, which was afterwards unbent; but there was a jibb and stay sails, neither of which were set, nor the least endeavour made to bear down. Any other cause than the fore-top-sail being unbent, was not visible to the center ships to pre- vent the Formidable from going into her station.

The Admiral is the best judge which were the ships he meant that were unable to follow him, when he wore to stand towards the French fleet: some officers are of opinion it was the Robuste and Ramilles, who, with two other ships, appeared to have suffered greatly in their sails and rigging; and though the two ships named were of your division, they were on the lee bow, and consequent- ly not with you to windward, or could be intended in the signal for ships to windward to bear down. As to the ships to windward with you being dis- abled, that certainly did not appear

to the center ships; and that they were not, has been fully declared by several officers of ships near you.

You say, at night the Fox frigate came to the Formidable, with a message from the Admiral. It was summer time, long days, and I leave the world to judge if it is night at four o'clock at that time of the year.

Your answer was, "tell the Admiral I have repeated his signal for the ships to bear down." What answer was that? Your repeating the signal and not obeying, was as ridiculous as a fantastical lady ordering her coach to the door, to go to the play, and sitting in her room till it was over. As to what you was going to say, let those give credit that please: what you was going to say, or what you was going to do, is too childish language for the public, who only want to know what you *did* say, or what you *did* do. As the night was dark and cloudy, so you shewed no lights; and that you was at any time of the night in the Admiral's wake, was not seen by the Foudroyant, Prince George, Bienfaisant, or Vengeance, ships whose stations were immediately a-stern of the Admiral, and *who were there*.

Admiral Keppel returned to Plymouth, after his first cruise, on the 30th of July, 1778, with thirty ships. He sailed again on the 20th of August from Plymouth, on his second cruise; and though it was well known the French had a naval superiority, yet, notwithstanding the length of time, to rest, and provide a proper reinforcement, he was obliged to put to sea again, the French fleet having sailed a second time, with *only* twenty-nine (the same ships) sail of the line. In a few days he was joined by one more; and in a few days after that, he was joined by two more of the line. During this second cruise the two fleets did not meet. The French returned to Brest on the 17th of Sep-

tember, and Admiral Keppel came to Spithead on the 31st of October.

The following is an authentic copy of a Memorial which was presented on the 12th of September to the States General of the United Provinces, by a deputation from the whole body of merchants of Amsterdam:

To their HIGH MIGHTINESSES the STATES GENERAL of the UNITED PROVINCES,

A MEMORIAL,

*Respectfully delivered from the merchants, proprietors of vessels, and exchange insurers, of the town of Amsterdam.*

That it cannot be unknown to your High Mightinesses in what manner, for these several weeks past, a considerable number of vessels belonging to the inhabitants of this republic, bound for the ports of France, have been stopped in their passage by the ships of his Britannic Majesty, and other commissioned vessels belonging to his subjects; and that, although our Captains have proved that their ships belonged to the subjects of this republic, and were not laden with contraband goods, they have, notwithstanding, been seized and conducted into the different ports of Great Britain, where they are yet detained, without the letters of recommendation written to Count Wolderen, your Envoy Extraordinary and Plenipotentiary at the Court of Great Britain, and granted by your High Mightinesses at the solicitations of many persons interested in the above vessels, in order to reclaim and effect their speedy enlargement, having produced the least effect, but, on the contrary, the English continue to seize our vessels more than ever, which seems to announce a plan formed by the English nation to totally prevent the navigation and commerce of the inhabitants of this republic with the ports of France.

That,

That, in consequence if these proceedings of the British nation continue, they will, no doubt, operate to the total ruin of the commerce and navigation of this republic in general, and, also, to the ruin of several private persons interested therein, either as proprietors of the vessels, or of the cargoes, or as insurers, and which will occasion them a considerable injury.

From these considerations your memorialists have judged it necessary to lay their injuries, as legal as well founded, before your High Mightinesses, and to implore your relief. The memorialists consider it as superfluous to endeavour to prove more amply to your High Mightinesses the injustice of such seizures and detentions, since it is known to you, that by the naval treaty concluded between the Court of Great Britain and the Republic on the 11th of September, 1674, the following, as the first article, is stipulated: "that it shall be permitted, and is legal, for the subjects of the respective nations to navigate *with liberty and safety*, to deal and negotiate in all kingdoms and countries, where the respective Sovereigns are at peace, neutrality and friendship, and in such a manner, that their navigation and commerce may be neither hindered or molested, neither by any violence of people who carry on war, nor by the ships of war or other vessels whatsoever, under pretence of any hostility or malice which may arise between one of the sovereign powers and the nations with which the other is in peace or neutrality."

And this liberty of navigation and commerce is also determined by the second article of the same treaty, by which it is agreed, "not to suffer that it shall be made the least hindrance of any branch of commerce on account, or by reason of a war; but on the contrary, to extend this liberty to all sorts of merchandize,

which was accustomed to be sold in times of peace, excepting only goods comprized under the denomination of contraband, and which are specified by a subsequent article."

Your High Mightinesses are not less ignorant, that by the point or article fixed on, and concluded the 30th of Dec. 1675, at the Hague, between Sir William Temple, Ambassador extraordinary from the King of Great Britain, and the deputies of your High Mightinesses, it is specially explained: "That the true sense of the above articles of treaty concluded the 11th of December, 1674, is, and ought to be, that since the conclusion of the above articles, the vessels and ships belonging to the subjects of the two contracting powers, should and may *navigate, trade, and negotiate*, not only from a neutral place to a place at war with either of the two nations, but from a place at war to a neutral place, whether or not the two places belong to the same Sovereign or State, or to different States and Sovereigns with which either of the two contracting powers may be at war."

It will not be difficult for your memorialists to prove in the most convincing manner, as well by solid reasons, as by the authority of the best authors, who have written on the law of nations, and the judgment of civilized States in general, as also by the common rights of men, and without the necessity of any treaty or alliance; that in case of war between two powers, the subjects of that State in peace or neutrality with the belligerent powers, ought to enjoy the liberty of an uninterrupted commerce, and without being tied down by all the powers who are at war, and without meeting with the least obstacle under any pretext whatever; except in cases where neutral nations would supply the belligerent powers with warlike stores or other contraband goods, or are endeavouring to negotiate

state with places besieged or blockaded.

Your memorialists, therefore, consider it as superfluous to call your attention to such an object, seeing that the law of nations hath obtained the strictest sanction by the treaty concluded between this republic and England. That consequently it is not a question what ought to be the case between two nations who have not any reciprocal alliance, but that it is only to be considered, what treatment the inhabitants of this republic have a right to expect on the part of the subjects of Great Britain, since the alleged treaty still subsists, and was concluded on, as it is well known to your High Mightinesses, in a time when this State was at war with France; and that consequently it was principally dictated by the English, in order to procure them a free navigation to and from the several ports of France. Since then the English nation were the first who reaped the fruits of that Convention, they ought not to prevent the subjects of this republic from profiting in their turn of the advantages of a free navigation and commerce, which they stipulated in themselves, and which they have enjoyed as they have found it convenient. And this objection ought to appear the better founded, as the stipulations in the treaty agreeing with the law of nations, ought to be a consideration of the greatest weight with a nation which would wish to preserve any pretensions to reason and equity, and that would not violate in any point the faith of a treaty so solemn as the above-mentioned.

The memorialists, therefore, hope, that by the efficacy of these reasons, the injustice will appear to your High Mightinesses, as well of making those prizes as the manner of carrying away the vessels of the inhabitants of this republic, navigated from a third place to the ports of France, or from

one port of the same kingdom to another, without considering what or who he is, who ought to be considered as proprietor of the cargo.

That this injustice carries such a demonstrative proof, that neither the proprietors nor the sharers of the vessels ought, on that head, to begin making by instituting a process; but that it belongs to his Britannic Majesty to give immediate orders, as well to the commanders of ships of war as to those of the letters of marque, that they no longer cause the least injury, nor any longer seize the ships or vessels belonging to this State; but, on the contrary, that they shall be bound directly to repair the injuries already done, and make good the damages already sustained, since they can no longer pretend the necessity of a judicial examination before having decided previously, on the validity of the captures, and that it is otherwise evident, or at least ought to be so, that the commission for seizing the ships and effects belonging to an enemy, cannot concern the subjects of a power with whom they are bound by treaty, and according to which the navigation and commerce should be free; and that there is, besides, a right that the ship should protect the cargo; nothing being so certain, that in such circumstances, the least obstruction given to a ship is an act of the most daring injustice; that of course, the dangerous consequences brought on by so flagrant a violation of the law of nations cannot be repaired, although the ships should be afterwards released, and damages should be awarded.

Besides the justice of these assertions, and the validity of these complaints, the taking of ships bound for the ports of France, not only induces your memorialists to solicit your High Mightinesses to interpose, and even to insist on immediate reparation for damages already sustained, and security for what may accrue. Your memorialists

memorialists also cannot dispense with respectfully laying open to your High Mightinesses the lamentable consequences which will result to the merchants, and of course to the state in general, in case the vessels and ships of the subjects of this republic cannot be guarded against what are little short of *acts of piracy*.

In effect, the seizure of the ships not only occasions to the proprietors a prejudice and considerable damage, and oppresses them in many respects by very large expences, but the stopping even of merchandize, and the danger and spoil of goods, to which they are subject; the possibility of the fall of the price of markets, as well as other events, are also very prejudicial to the above proprietors, and others interested therein; and if still by such proceedings, and against all remonstrance, the English will consider that the goods embarked are from that moment to be considered as French property, and subject to confiscation, the consequences of so unjust a supposition will infallibly cause the entire ruin of many insurers in this country; and it will be the more unjust, as the vessels hitherto seized, or liable to be seized, have had all their cargoes insured in a time when there was not the least hostility commenced between France and Great Britain, which alone gives a sufficient reason why those ships *should not be seized*, much more should they be declared legal prizes.

Further, without estimating the damage which necessarily must befall on the several persons interested in ships seized, or exposed to seizure, the consequences of a seizure so unjust as that of Dutch ships, destined for the ports of France, will have the most dangerous influence on the commerce and navigation of the republic in general, since not only the inevitable effect will be the absolute ruin of all commerce with France, but the more so, as all the other nations

which until this time have employed, and will again employ Dutch ships to transport their merchandize to the ports of France, or other places, will be deprived of employing for the future, ships exposed to be detained or made prizes of.

These premises will afford a vast ground of speculation, when it will please your High Mightinesses to reflect, that notwithstanding his Most Christian Majesty, by the first article of his regulations, concerning the navigation of neutral ships in times of war, under the date of July 26, 1778, has voluntarily forbidden all his privateers and ships, to stop or seize any ship belonging to neutral powers, even sailing from, or bound to the enemy's ports, excepting only blockaded places, and ships laden with contraband goods; judging it proper, nevertheless, to declare, that his Majesty reserves the right of revoking this liberty, in case the power at war with him doth not think it proper to extend the same favour, before the expiration of six months, to be computed from the date when the above regulations were published. According to this, it may then happen that his Christian Majesty, in making reprisals, would also limit the franchisements of the ships of this State, when the memorialists, and other inhabitants of the republic, will see your Mightinesses entirely deprived of their commerce and navigation, with the two kingdoms and their dependencies, and in this manner supporting, however unjustly, the vigorous effects of war, the same as if this republic was actually concerned therein.

However matters may terminate, your memorialists deem it needless to shew to your High Mightinesses the horrible result of such a commercial decline; for all the inhabitants of this country in general, seeing that by commerce the republic is aggrandized; that in trade she finds the

most

most solid benefits, and that if her commerce perishes, she will soon find herself on the brink of destruction. What is still further to be apprehended, when we have reflected on the unjust proceedings on the part of the English, the navigation and commerce between this country and France, and very likely by an inevitable rupture with England, both will be totally prevented, it may furnish occasion to other kingdoms to carry on our trade, of which against all reason and justice, the usage will be forbidden to the inhabitants of this republic, whilst frequent examples, founded on most woeful experience, will teach us, that one time or other, by a certain concurrence of circumstances, one branch of commerce taken away, can never return into its ancient course.

Prompted thus by every motive that can be alledged, your memorialists respectfully address your High Mightinesses, that it may please them to prevent and restore the damages done to the merchants of this country, by the seizure of her ships bound for the ports of France, by the English nation, *against the faith of treaties, in open violation of the law of nations, in opposition to natural equity.* In short, to prevent for the future such extraordinary proceedings, to maintain the rights and privileges of the several inhabitants of this State, which they hold from God and nature, and on which the English nation are bound by the most solemn treaties to make no infractions.

That it will please your High Mightinesses to provide speedily and efficaciously, as well by the most serious representations to the Court of England, on the subject of the disorders committed, and to prevent their consequences, by giving a sufficient protection, by the means of the ships of war, to the commerce and navigation of this country, in such a manner as your High Mightinesses, in-

spired by your acknowledged wisdom, and animated by paternal regard and zeal for the prosperity of this republic, shall judge proper.

To their HIGH MIGHTINESSES the STATES GENERAL of the UNITED STATES.

### A MEMORIAL.

*Respectfully presented by the Merchants, and owners of ships of the town of ROTTERDAM.*

That very lately a considerable number of ships belonging to the inhabitants of this State, and bound for France, have been stopped at sea either by the ships of the royal marine of England, or by commissioned ships of the same nation, and afterwards carried into the ports of Great Britain, where they continue to be detained, notwithstanding the bare inspection of the consignments and other papers found on board the above ships would sufficiently shew that they were not laden with any sort of merchandize under the denomination of contraband goods, specified by the third article of the Marine Treaty, concluded in the month of December, 1674, between the Court of Great Britain and this Republic.

That this conduct of the British nation, the *flagrant injustice of which might be very easily proved by an appeal to the law of nations*, if it be not already evident, as well by the aforesaid treaty as by the *Explanatory-Convention of 1675*, will infallibly accelerate the entire ruin of the commerce and navigation of the United Provinces, if not timely and efficaciously prevented.

Notwithstanding the many arguments that might be urged, your memorialists will not trouble your High Mightinesses with all the reasons they have to alledge in proof that the destruction of our commerce and navigation must follow, as the unavoidable consequence of the unjust proceedings of the English, our neighbour

bears, of which there is no occasion of any further proof, it having already been fully represented to your High Mightinesses.

Your memorialists therefore only assume the liberty of observing in very few words, that by the seizure of their ships, although they may afterwards be released even with indemnity, the necessary delays in such cases are yet highly prejudicial, and totally ruinous to the merchants of these provinces.

That, during the detention of the merchandize, the commodities are exposed to the injury of the fall of markets, and the merchants are, besides, in that interval, deprived of the opportunity of furnishing themselves in return with such goods as they intended when the first cargoes arrived at their destined ports.

In short, the Dutch ships employed for the transportation of merchandize to France and elsewhere, being detained, will, without doubt, (the result of such proceedings out of the question) occasion fewer numbers to be hired in such service for the future.

That this seizure and detention are not only in themselves sufficient entirely to ruin our commerce and navigation, but that this ruin will be more rapidly brought on, whenever it shall please the English nation to make a second stride of injustice, and having seized the ships bound for our French merchants, or from France to this State, they have only to declare them legal prizes.

That this prospect is still more deplorable, when your memorialists reflect on the regulation given by his Christian Majesty, on the 26th of July last, concerning the navigation of *neutral ships*; because, although that Monarch therein *forbids* the stoppage and seizure of neutral ships, bound to or from an enemy's port, he nevertheless reserves to himself a right of revoking that edict, in case any foreign power *should not agree to*

*the same regulation respecting neutral ships.* From hence it necessarily results, that, if the English continue to detain and seize our ships coming from France, or going thereto, we may expect the same treatment from the French with regard to our ships coming from, or going to Great Britain, and by these means, and to the total ruin of these States, they will be deprived of the benefits of commerce and navigation with both countries.

Your memorialists, therefore, flatter themselves that your High Mightinesses will find these reasons sufficiently conclusive to justify the presentation of this memorial, as also that your High Mightinesses will take such measures, dictated by your usual wisdom, and agreeable to the protection of the commerce and navigation of these provinces, in order to save them from that total ruin with which they are now threatened.

To their HIGH MIGHTINESSES, the STATES GENERAL of the UNITED PROVINCES,

A M E M O R I A L,  
Respectfully delivered from the Merchants, Proprietors of vessels, and Exchange Insurers, of the towns of AMSTERDAM, ROTTERDAM, and DORDRECHT

That the unjust procedure of interrupting the navigation and commerce of the inhabitants of this republic, for a considerable time past, by *English commissioned ships*, as well as by the ships and officers of his Britannic Majesty, have put many proprietors and others, whose ships and goods have been seized, under the indispensable necessity of calling upon the intercession, entreating the fatherly protection of your High Mightinesses, in order to obtain a release of the ships and cargoes which have been thus unjustly captured, and detained.

That besides a great number of merchants established in these towns,



as well as others throughout the provinces, having presented a respectful address to your High Mightinesses to see those evils redressed, of which, with great reason, they think they have a right to complain, your Memorialists flattered themselves, that your High Mightinesses letters of recommendation to *Count Welderen*, your Envoy Extraordinary and Plenipotentiary at the Court of Great Britain, sent at the request of the reclaimants, as well as by a general notification, addressed by your High Mightinesses to Count Welderen, in order for him to present without delay the most serious remonstrances in the name of your High Mightinesses, as well to his Britannic Majesty, as to his Ministers, (in which your memorialists acknowledged with gratitude the paternal care of your High Mightinesses, for the welfare of the inhabitants of this state) that, we expected, the said letters of recommendation would have produced the desired effect; that is to say, that the ships so stopped and so unjustly seized, with their cargoes, would have been immediately set at liberty.

That the expences, damages, and interests occasioned by their detention, would have been defrayed to the sufferers, and that the inhabitants of this state would have received the necessary assurances, that they could have continued to carry on their navigation and commerce with that freedom and safety which they have a right to expect, as well from the common rights of nature, as by the most solemn treaties which now exist between Great Britain and this republic; and that your memorialists would then have had every reason to believe, that the violence hitherto committed, were the acts of private persons, and committed without the order or permission of the King of Great Britain, and that so far from avoiding them, his Britannic Majesty, according to his acknowledged equity,

would not have made the least difficulty of immediately remedying them, especially after he had received our just complaints from the hands of your High Mightinesses.

That notwithstanding your memorialists, with great regret, perceive that all the representations made by, or on the part of your High Mightinesses on this subject, have only produced an injunction from the Lords of the English Admiralty, to release the ships which were not laden with timber or rigging, but not that for the future, such of our ships as might be laden with the under-mentioned articles should be indemnified from capture, and so far from allowing the least damages to the sufferers concerned in the small number of ships which have been released, the English continue daily to detain such of our vessels as are laden with masts, planks, hemp, and other articles for ship building, coming from the Baltic, *and bound to France*.

Your memorialists are also informed, that the intentions of the British Ministry are to order a confiscation of the lading of all ships whose cargoes they shall deem *to belong to France*; or rather, in this case, where they shall think that the French have not an interest in the vessels, to order them to be released, but to retain the cargo, reimbursing only the value, and paying the freightage of the ships according to the sums awarded.

Under this consideration, as they cannot but allow, that on the one hand this mode of arguing, and this manner of acting, by the British Ministry, are diametrically opposite to the reciprocal obligations which bind the two nations, the rights of men, as sanctioned by the laws of nature and nations, as well as to the marine treaty of the 11th of December, 1674, in particular; on which, notwithstanding this republic hath not on her part made the least infraction, and that such procedures must evidently wound

wound and even destroy those rules of equity and good faith, from which civilized nations ought not to depart; so, on the other hand, if the English Ministry should obstinately persist in such an unjust conduct, the consequences must necessarily bring on, not only the total ruin of a great number of your memorialists, who are immediately interested, but also the entire decline of the commerce and navigation of all the inhabitants of this country, on which the welfare, property and preservation of the State entirely depend.

These evils have been exemplified in former times, but particularly in the years 1746, 1747, and 1748, and from 1756 to 1758. In the first period we may estimate a loss of upwards of *twenty millions*, caused by the English on the commerce and navigation of this State; and during the second period, near *twelve millions*, which is sufficiently proved by the printed records of those times, and which are laid before your High Mightinesses.

Besides, the value of the cargoes contained in the ships now actually detained in England, amount already to a very considerable sum, which is not only excluded from circulation, but the total loss of it, or of great part of it, if such proceedings continue under *the frivolous pretext that it belongs to the French, and is, under that description, to be confiscated*, will fall almost entirely on the Dutch merchants, assurers, &c. to which we must again add, the prodigious damage occasioned to the owners of ships by the delay of such vessels, the continuance of wages and provisions during the detention, as well as the stoppage of the navigation during the interval.

Further, the seamen on board such vessels, and who are so essential to this republic, will either escape or be *seduced into the service of Great Britain*. In short, if the inhabitants of

this republic are prevented from freely navigating in a manner agreeable to the faith of treaties, their vessels will be less employed than the ships of any other nation, on whom the English dare not impose the same restrictive law; consequently the ships of the latter will be employed in transporting the goods and merchandize, the exportation and vend of which, interests as much the inhabitants of the north, as their beneficial importation from the south of Europe.

The consideration of all these objects collectively determined your memorialists again to address your High Mightinesses, and to implore once more your sovereign and efficacious protection. Their memorials are founded upon well grounded apprehensions of inevitable ruin, not only to themselves, but to the State at large, if the English Ministry obstinately persist in their present proceedings towards our ships.

Finally, your memorialists firmly believe, *that this State is neither deficient in power, nor that her inhabitants want inclination or courage to maintain the independency of their republic against all unjust violence; and they also look on it as insufferable, that a nation which owes the security and preservation of her civil and religious liberties to the assistance and co-operation of this republic, and which otherwise is united with her by ties of mutual and positive interest, should dare, against the first principles of natural equity, against all rules of right, adopted by all civilized nations, and against the faith of all solemn treaties, for the reason only of CONVENIENCE; that this very nation, we say, should dare to cause so much trouble and prejudice to the commerce and navigation of this republic, and that in so notorious a manner, that the total ruin of individuals, and the entire decay of trade, as well as of navigation, must be the final result of their conduct.*

*The speech of an Amsterdam Merchant to the Prince Stadtholder.*

Mon Seigneur,

Although it was but lately that your Serene Highness most cheerfully gave a favourable audience to the deputies of the body of the merchants of the town of Amsterdam, they again, on other accounts, and in conjunction with the principal commercial towns of Holland, have recourse to your Serene Highness, in a more special manner to recommend their interests to your attention and good offices.

If the merchants were unable to behold without the utmost consternation, their ships which sailed under the free colours of this republic, seized, plundered and detained by commissioned privateers, and by the ships of the British navy, they are now struck with the most poignant anguish at the very presumptuous conduct of the English Minister, and at the very singular reply which he gave to Count Welderen, Envoy Extraordinary to their High Mightinesses on the subject of our just remonstrances.

From these circumstances the merchants think they are fully entitled to call for the assistance of your Serene Highness, and in the most pressing manner to implore your protection in such a manner, as may be most efficacious.

They take the liberty of observing, that the answer of the English Court is contrary to those rights, and to that liberty of commerce, stipulated by the treaties formerly concluded between this republic and the Court of Great Britain, and that the English make no ceremony of being guilty of the most flagrant violations of those treaties, although guarantied by the most solemn sanctions, under a pretended right of CONVENIENCE, which being clearly arbitrary, renders every treaty void, and makes our property absolutely to depend on

the fluctuating idea of a capricious neighbour.

Is it astonishing that so trying, so shameful an injustice should draw down the complaints of those who have fallen victims to the procedure? Must we not shudder at the prospect of those destructive consequences, to which a wanton exertion of this pretended right will expose our commerce? Doth not the very existence of our trade, and the security of our properties, depend entirely on a strict attention to the faith of treaties? and if an iota may be violated under these arbitrary pretences, shall we not stand for ever condemned, if we submit in timidity to such violence, and remain oppressed in the extreme uncertainty of redress.

These treaties, so universally adopted, are the basis upon which other nations, and in fact the whole world found their confidence, when they entrust their merchandize under the freedom of our flag. If this basis be shaken! if this confidence should be broken! the whole of our commerce will moulder into decay, and our navigation will be at an end.

The merchants, may it please your Highness, have other weighty reasons to apprehend every alarming consequence, as they perceive that the English Minister deigns to behave to other powers, (not connected by treaty with England) with a profound respect. *Those powers, it seems, have taken a very effectual method to let the English Minister know in what the natural rights of man consist.*

And shall we, Dutchmen, who have equal claims, shall we fear to make ourselves understood in a language equally nervous? Heaven forbid! May we not flatter ourselves, that, in reiterating our complaints with firmness, our republic will have the happiness of obtaining a release of all our captured ships and cargoes, *with indemnity and repair of damages, without*

without any frivolous delay; without unjust and arbitrary exceptions; and also with the certainty that the freedom of the flag shall be acknowledged according to the letter and spirit of our treaties.

We conjure then, your Serene Highness to extend to us your succour, and to join your powerful influence to the measures that we presume their High Mightinesses will adopt in our behalf, in order to prevent the ruin of our commerce, and indemnify us for the losses we have sustained.—We believe also, that we have a right to insist, in the most express terms, that they proceed to take effectual measures in the most speedy manner; because after the extreme tardiness of the English in a restitution, even of some ships, it is clear, that they only mean to amuse us with fine speeches, or florid apologies for injustice.

In addressing ourselves to your Highness as the Admiral-general of the United Provinces, and the protector of the liberty of our navigation, we expect redress; because we are assured, that the unjust seizure of the *smallest* vessel sailing under the flag of this republic, will never escape your attention. We look on this violence as an insult to the dignity of this republic. Many ships laden with immense riches have been taken from the subjects, who assured themselves of safety under so respectable a flag. But the ports of England are yet filled with these ships.

When they even actually consent to release all our vessels (as our remonstrances give us reason to expect) prudence doth not less strenuously require us to take every precaution against further insults. Such a circumstance is not new to us. The recollection of the stabs given to our commerce in 1758, is engraved on our memory in the deepest characters. Our losses amounted to *many millions*, without reckoning those which the

continuance of the war rendered still more considerable, and more important than we can at present estimate. For this purpose, ships of war and fleets are immediately necessary. A proper number of ships to be subject to the command of your Highness, as Admiral-general, are totally equipped: they wait only the necessary instructions which should be adopted to the purpose, for providing in a few days for the respectability of our flag, and for our security in every part of the world where danger demands it.

We implore it then of your Serene Highness, that the requisite convoys may not be delayed: this, in the present juncture, depends upon the republic alone, and as she can easily augment, so will the most readily double her equipments.

Shall we then with reason and justice on our side, not also obtain satisfaction for the injuries we have sustained? and shall we, with an eye of indifference and tranquillity, behold our ships attacked, seized, plundered, and taken in *so iniquitous a manner?*

No, Sir,—Nor will your Serene Highness think us to blame, if we expect a defence of our rights and privileges, thus attacked, thus violated.

In acting thus, the republic will save from distress and misery, an innumerable multitude of her inhabitants, who subsist by commerce only, and by such employments as relate to it, which can never fall, but it drags down destruction on all.

We cannot think without shuddering on the deplorable misfortune which will accompany the loss of the freedom of our flag, or the enormous losses we shall sustain, if so great a number of our ships should be unemployed; in short, if these immense revenues, amounting to many millions, should be lost annually to the State as well as to individuals.

We then repeat our supplications

to your Highness, to set for the danger to which the liberty of our navigation is exposed. You know, as well as ourselves, that this liberty is the sinew of the State, and the principal source of its prosperity.

We are not guilty of dissimulation, when we say, that it is our interest only which compels us to address you. We can also assure you, that our interest is connected with that of our posterity.—In speaking for them, we fulfil a duty dear to our hearts. If we had kept silence, when the occasion of the times, and the circumstances demanded that our cries for justice should ascend the tribunal of Heaven, would not our descendants have had a right to accuse our conduct, and reproach our memory? Their reproaches might (alas! too late to produce any benefit) only occasion inconveniencies to the descendants of your illustrious family.

This then is precisely the time when we may for ever guard ourselves against *the imperious and arbitrary proceedings of the English nation*, and establish on an immoveable basis, the prosperity of our commerce.

Can we have a better occasion to thank your Highness for a more grand, or more glorious act? May gratitude excite our latest posterity, to preserve with the most religious respect, the memory of William the Fifth, and may they not reflect on our Hereditary Stadtholder, but with the idea of his having been the restorator of the freedom of our flag on the ocean.

May the Supreme Being pour down his benediction on your Serene Highness, and upon the Princess Royal, your dear consort: may every branch of your august family share in the blessings of Heaven! May the House of Orange flourish to the latest posterity! May our navigation be free! Our commerce be uninterrupted! And, may the flag of this republic be in future protected from every insult offered in violation of the faith of treaties!

*The Earl of SUFFOLK's answer (by the King's order) upon the representation of Count WELDEREN, Envoy Extraordinary from their High Mightinesses the States General of the United Provinces.*

Sir,

I have had the honour to present to the King the memorial which you have addressed to his Majesty, by order of their High Mightinesses, the 28th past, which having been considered with all the attention which the importance of the different subject matter in it contained doth merit, the King orders me to inform you, that it is with a very sensible pleasure that his Majesty hath seen the justice which their High Mightinesses render to his desire of giving unequivocal proofs of his friendship and affection for his ancient and faithful allies the States General of the United Provinces; and that they have placed in the true points of view his Majesty's orders for the releasement of the vessels specified in your memorial. The same principles have induced the King to give orders, that all the vessels, with unexceptionable cargoes, appertaining to the subjects of their High Mightinesses, and brought into the ports of Great Britain by his Majesty's ships, may be released; and that henceforth the King's officers do not give any hindrance or interruption to the *lawful commerce* of the subjects of their High Mightinesses. His Majesty would wish to have it in his power to remove even the smallest reason of complaint of the subjects of their High Mightinesses; but they know too much of the inseparable events of war, to believe it possible for him so to do, even with all the dispositions to render justice, and to pay attention to the interests of the subjects of his good allies, which his Majesty possesses, and which their High Mightinesses acknowledge in him. His Majesty, without any provocation on his part, and by a train  
of

of insidious, unjust proceedings on the part of the Court of France, finds himself actually engaged in hostilities against the Most Christian King, who, as all Europe ought to have seen with astonishment and indignation in the midst of the most formal, and often repeated assurances of the most perfect amity, and most pacific dispositions, hath violated the public faith, and the rights of Sovereigns, by declaring the rebellious subjects of another power to be Independent States, merely because those subjects have thought proper to call themselves such, and to invite the powers, disposed to profit by their rebellion, to join in confederacy with them. This unjust aggression, represented by the court of France as being a natural and advantageous advance towards the interest of her commerce, hath been followed by hostilities still more violent, still more public, namely, by sending a fleet to America, in support of his Majesty's rebellious subjects, and that too before the King of Great Britain had taken any other step but that of calling his Ambassador from Paris.

But the King, animated by principles altogether different; and desiring to give, on all occasions, proofs of his moderation, and of the rectitude of his sentiments and intentions towards their High Mightinesses, hath ordered me to declare, in his name, at a time when even the principles of self-defence and self-preservation oblige him to prevent, as much as is possible, all provisions of naval and military stores from being transported into the French ports: yet his Majesty will observe all possible regard for the rights of their High Mightinesses, and will adhere, in the strongest manner, to the stipulations (as far as it shall be practicable), and to the spirit of the treaties between him and their High Mightinesses.

After this exposition of the sentiments of the invariable amity and

affection of his Majesty for their High Mightinesses, and of the present situation of affairs between the King and his Most Christian Majesty, it remains for me to execute the King's orders, by informing you, Sir, that his Majesty, sensible of the extraordinary manner in which he hath been suddenly engaged in *an actual war*, and of the short notice which the subjects of their High Mightinesses could have of this event, as it is alledged; is disposed, and ready to purchase, at a fair valuation, the naval stores that have been captured, and are actually in the different ports of Great Britain, aboard vessels appertaining to the subjects of the Republic, to pay the freight of the cargoes, and to indemnify the proprietors in all their just expences and damages, occasioned by the detention of their vessels; and his Majesty will give instructions to his Ambassador, to enter upon a negotiation with the Ministers of the republic, to the end that an arrangement be made, for the future, upon the principles of equity and friendship, such as is meet, between such good and ancient allies.

His Majesty always relies upon the assurances of amity and attachment, which he has received on so many occasions from their High Mightinesses; and in making this open and equitable communication of his sentiments and intentions, in the present crisis, cannot but recall to the reflections of their High Mightinesses the reciprocal engagements contracted between the Crown of Great Britain and the republic, during the continuance of a whole century. The articles of these engagements are clear and precise: and although the moderation of his Majesty, and his sincere desire to extend, as little as possible, the horrors of war, have hindered him, to the present hour, from demanding the accomplishment of these treaties; yet his Majesty doth not think these engagements less obligatory

tery than they formerly were: and he will not suffer himself either to wish, or to admit, any diminution of the reciprocal interest which hath united, for so long a time, the two nations; and which his Majesty desires, on his side, to perpetuate. As his Majesty hath not received any advice of complaint against the conduct of the Captains of the King's ships towards the territories of their High Mightinesses in America, and particularly upon the rivers of Essequibo and Demerary, before the date of the Memorial, which I have had the honour to present to his Majesty, he hath ordered me to procure him the most exact information relative to what is therein alledged, and to assure you that his Majesty will not fail to punish the guilty in an exemplary manner. I have the honour, &c.

(Signed) SUFFOLK,

St. James's, Oct. 19, 1778.

*Extract of a letter from Amsterdam, dated Nov. 13, 1778.*

At last the spirit of this nation is roused; and I fear the consequences, if your Court does not make immediate and exemplary satisfaction. The Burgomasters of Dort assembled the Committee of merchants on the 6th instant; the merchants of Rotterdam were called together the 7th, and on the 9th the Council of Amsterdam summoned the Committee of merchants of that city.—The cause of these meetings was the same, being to communicate the resolution of their High Mightinesses the States General, on their petitions of redress against the English treatment of their flag, and of the violences committed against their property. Lord Suffolk's letter to Count De Welderen (printed as inclosed) was laid before them, and the answer of the States which accompanied it, is, in substance (for I have not time to transcribe the words) That their High Mightinesses had resolved *not* to enter into any negotiation with the English Ambassador

on the points in dispute, but that they should continue to use every means in their power to obtain from the Court of Great Britain, not only ample and exemplary satisfaction for the injuries done to their subjects, in defiance of the treaties subsisting, but also pursue such steps as should prevent the repetition or continuance of the same grievances for the future. The Committees of all the towns came to the same resolution on this measure, and deputed one of their members, respectively, to join the Pensionary and Secretary of each town in a deputation to the Hague, from whence they returned the next day; they represented to their High Mightinesses their thanks, for *not* entering into any negotiation with the English Ambassador: that the merchants were determined also *not* to accept any terms; that they hoped their High Mightinesses would insist on restitution of the ships and cargoes, so unjustly seized, by order of the King of Great Britain, contrary to the faith of treaties, and the rights of Sovereigns; and that they would lose no time to put their marine in such a state as to afford them protection, and vindicate the honour of their flag against all affronts; for which end, they reiterated their willingness to pay the taxes necessary and equal to a respectable armament.—Their High Mightinesses answered, by their President, That such measures had been already taken as would meet the wishes of so respectable a body of their subjects; that an augmentation of twelve ships of the line, and twenty frigates, besides the twenty-five ships before resolved, had been determined on; and that, till the proper mode of proportioning and raising the expence could be fallen upon, they had ordered their Treasurer to open a loan of four millions of florins, at 2 1-half per cent. which is already more than two-fold subscribed.—Such is the ferment you have raised.

*Philadelphia, June 20.* The British army, early last Thursday morning, completed their evacuation of this city, having before transported their stores and most of their artillery into Jersey, where they had thrown up some works, and several of their regiments were encamped. They manœuvred the lines the preceding night, and retreating over the Commons, crossed at Gloucester-point; it is supposed they will endeavour to go to New-York. A party of the American light horse pursued them very close, and took a great number of prisoners, some of whom were refugees.

Yesterday morning the Honourable Major-general Arnold took possession of this city, with Colonel Jackson's Massachusetts regiment.

When the American troops entered Philadelphia, a party went to the house of Joseph Galloway, Esq. late Superintendent-general of the port and police of Philadelphia, with an intent to plunder and demolish it; but his lady made immediate application to General Arnold, who ordered them to desist, and assured her of protection while he commanded the city. The Americans have weighed up two of the galleys which were sunk near Trenton, also a number of gun-boats, which they are repairing with all possible expedition. It is said that Mr. Lee commanded the van of the rebels.

*Philadelphia, July 30.* Yesterday morning the crew of the Mermaid British frigate, lately drove on shore near Cape Henlopen, were brought to this city under guard.

*Extract of a letter, dated Camp, near White Plains, July 22d, 1778.*

"Yesterday and this day fifteen chasseurs came over to us with their horses and arms. Major Nevil is just now arrived at Head-quarters from the Sound, and brings the agreeable news of the capture of 27 sail

of British vessels: it is not yet known whether they are transports or armed vessels—doubtless part of both."

*Extract of a letter from Boston, dated July 15.*

"There has lately been taken, by a Salem privateer of 20 guns, a vessel for Quebec; the amount of the invoice is 30,000l. sterling."

*Extract of a letter from Boston, dated July 16.*

"By a person lately from Halifax, we have advice, that the Tories and refugees there, are in a miserable situation, suffering insult and abuse from those who promised them protection, in addition to the miseries that attend poverty; and by late advices from England, the like wretches there are in the same or worse situation, and all of them are desirous of returning, and it is said, some are determined to come to New England, and hazard every punishment, so as their lives are spared. It is said, their prime agent, Hutchinson, has fled from England to Holland."

*In Congress, July 14, 1778.*

Resolved, That a Treasurer of Loans be appointed, whose duty it shall be to sign Loan Office certificates, and bills of exchange, for the payment of interest arising on such certificates, which shall be struck by order of Congress; to deliver such certificates and bills of exchange agreeably to the orders of the Board of Treasury; to receive such bills of credit as Congress shall, from time to time, order to be sunk and destroyed; and to perform such other services incident to this Office, as may hereafter be ordered by Congress or the Board of Treasury.

*July 27, 1778.*

Congress proceeded to the election of a Treasurer of Loans, and the ballots being taken, Mr. Francis Hopkinson was elected.

CHARLES THOMSON, Sec-  
The



The following is an account of the distribution of the British army in North-America, under Sir HENRY CLINTON, in the month of August, 1777.

EARL CORNWALLIS.  
York Island, Town, and Kingsbridge.  
Guards.

45th Regiment	} A corps of yaugers.
35th Ditto	
4th Ditto	
28th Ditto	
49th Ditto	
26th Ditto	
7th Ditto	
63d Ditto	
52d Ditto	
1st and 2d battalions of the 71st ditto.	

Simcoe's rangers.  
Emerick's chasseurs.  
Lord Cathcart's legion.  
Irish volunteers.  
Bayard's corps.  
Robinson's ditto.

A corps detached to the artillery.

*Hessians.*

Regiments	Du Corps	—	1
	Prince Charles	—	2
	Tromback	—	3
	Donop	—	4
	Mirback	—	5
	Kniphaufen	—	6
	Lofsberg	—	7
	Wellart	—	8
	Seitzt	—	9
	Wisenbacks	—	10
	Hereditary Prince	—	21

Grenadiers. {  
Linsing  
Mingerode  
Larquhay  
Kuyler.

GENERAL VAUGHAN.

*Long-Island.*

2d Battalion of grenadiers  
2d Ditto of light infantry  
New-York volunteers  
De Lancy's brigade  
Brander's corps  
16th and 17th-light dragoons  
One Provincial troop, volunteers.

GENERAL GRANT.

*Staten-Island.*

27th Regiment  
55th Ditto  
40th Ditto  
5th Ditto  
10th Ditto  
Skinner's brigade of Provincials.

*Paulus Hook.*

57th Regiment  
A company of artillery.  
General SIR ROBERT PIGOT.  
*Rhode-Island.*

22d Regiment  
38th Ditto  
43d Regiment  
54th Ditto  
2 Regiments of Anspach  
3 Ditto of Provincials.

*Hessians.*

Landgraves  
Ditmols  
Byman  
Kyne.

*Expedition under Sir HENRY CLINTON.*

1st Battalion of grenadiers  
1 Ditto of light infantry  
100 of 17th light dragoons  
Ditto swords and saddles  
15th Regiment  
17 Ditto  
33 Ditto  
37 Ditto  
42 Ditto  
44 Ditto  
46 Ditto  
64 Ditto  
23 Ditto, on board as marines.

*New-York, July 25.* On Wednesday the Toulon fleet, under the Count D'Estaing, got under way, and on Thursday morning they were all out of sight, having steered to the Southward.

Since the arrival of the Compte D'Estaing's squadron off Sandy-Hook, about twenty sail of vessels have fallen into his possession; they consist chiefly in prizes bound to this harbour;

harbour; amongst the number are, Lieut. Whitworth, in the Stanley, convoying three or four prizes, a letter of marque brig, having two or three prizes under her protection, and a ship, five armed brigs, sloops and schooners from Barbadoes.

The Comte D'Estaing, before he left his late station, sent for all the pilots on board his ship the Languedoc, who consulted upon an attempt to steer the French fleet through the channel into our harbour; and finding the first rate ship drew 27 feet of water, the enterprize was declined as absolutely impracticable.

*Extract of a letter from General WASHINGTON's Camp, at White Plains, Aug. the 4th.*

" Deserters come in by wholesale.

An Ensign, and his command, came over to us last week: two days after, a Serjeant and Corporal, with their party, came in.

" We were informed yesterday of the arrival of the Count D'Estaing, with his fleet, at Rhode-Island. This event threw the enemy into great confusion. Three regiments, which were posted on Conanicut-Island, immediately evacuated the place, burnt two of their row-gallies, and the King's Fisher, of 20 guns, and returned to Rhode-Island; where they are all behind their huts.

*Philadelphia, Sept. 3.*

*Extract of a letter from General WASHINGTON to Congress, dated Head-Quarters, White Plains, Sept. 1, 1778.*

" Sir,

" I do myself the honour of transmitting to you a copy of a letter I this minute received from General Sullivan. I congratulate Congress on the repulse of the enemy."

*Head Quarters, Aug. 29, on the north end of Rhode Island.*

" Dear General,

" A retreat to the north end of the island having been deemed advisable

(from our great diminution of numbers) by the determination of a council of war, held the 28th instant, I last evening gave the necessary orders for, and effected a well-timed and regular retreat, without losing any part of my baggage, stores, or heavy ordnance. The enemy was apprized of the movement some time in the night—they had, I suppose, concluded that I had retreated in confusion and with precipitation, and no doubt with an expectation of my having crossed part of my army, and that the remainder would become an easy victory. In this belief they advanced in two columns, on the east and west roads, and vigorously attacked Colonels Livingston and Laurens, whose corps were disposed between the two roads in front of the army; they were warmly received by those two gentlemen, whom I reinforced occasionally, to prevent the contest being too unequal, though at the same time they were directed to retreat regularly, and at their leisure. They strictly complied with the order, for I scarcely remember any thing of the kind more regular. The enemy were naturally led on to the neighbourhood—they took post on commanding ground in our front, and immediately attempted to turn our right flank. To prevent this, I detached considerable bodies of infantry.—Our artillery was well served, did great execution, and contributed not a little to the honour of the day; skirmishing prevailed during the day, and the success of it was determined by a warm action. Our loss in killed and wounded is not yet ascertained by returns, but is very considerable—among the latter, I have the mortification to find many valuable officers, whose names and rank shall be transmitted to your Excellency in my next. The loss of the enemy must have been great. Two of the enemy's ships endeavoured to enfilade our lines, but did us no injury. I shall make it my business to

inform your Excellency as soon as possible of such corps and officers who had an opportunity of distinguishing themselves in the action; for my whole army only seemed to want an opportunity of doing themselves and country honour. I am sorry I cannot at present be more particular.

I am, dear General,

Your Excellency's most obedient,  
And very humble servant,

JOHN SULLIVAN."

*His Excellency General Washington.*

Published by order of Congress,

CHARLES THOMSON, Sec.

Sept. 8. Sunday afternoon Major Morris, Aid-de-camp to General Sullivan, arrived in town, with the following letter from the General:

*Letter from the Honourable Major General SULLIVAN to the President of Congress, dated Head-Quarters, Tiverton, Aug. 31, 1778.*

"Esteemed Sir,

"Upon the Count D'Estaing's finding himself under a necessity of going to Boston to repair the loss he sustained in the late gale of wind, I thought it best to carry on my approaches with as much vigour as possible against Newport, that no time might be lost in making the attack upon the return of his fleet, or any part of it, to cooperate with us. I had sent expresses to the Count to hasten his return, which I had no doubt would at least bring part of his fleet to us in a few days. Our batteries played upon the enemy's works for several days with apparent good success, as the enemy's fire from the outworks visibly grew weaker, and they began to abandon some of those next us; and on the 27th, we found they had removed their cannon from all their outworks except one. The town of Newport is defended by two lines, supported by several redoubts connected with the lines. The first of these lines extends from a large pond, called Easton Pond, near to Temminy-hill, and then turns off to the water, on the

north of Windmill-hill: this line was defended by five redoubts in front. The second line is more than a quarter of a mile within this, and extends from the sea to the north side of the island, terminating at the North Battery: on the south, at the entrance of Easton's beach, where this line terminates, is a redoubt which commands the pass, and has another redoubt about twenty rods on the north. There are a number of small works interspersed between the lines, which render an attack extremely hazardous on the land side, without a naval force to co-operate with it. I however should have attempted carrying the works by storm as soon as I found they had withdrawn their cannon from their outwork, had I not found, to my great surprise, that the volunteers, which composed great part of my army, had returned, and reduced my number to little more than that of the enemy; between two and three thousand returned in the course of twenty four hours, and others were still going off, upon a supposition that nothing could be done before the return of the fleet. Under these circumstances, and the apprehension of the arrival of an English fleet with a reinforcement to relieve the garrison, I sent away all the heavy articles that could be spared from the army to the main; also a large party was detached to get the works in repair on the north end of the island, to throw up some additional ones, and put in good repair the batteries at Tiverton and Bristol, to secure a retreat in case of necessity. On the 28th a Council was called, when it was resolved to remove to the north end of the island, fortify our camp, secure our communication with the main, and hold our ground on the island till we could know whether the French fleet would soon return to our assistance. On the evening of the 28th, we moved with our stores and baggage, which had not been previously sent forward, and

about

about two in the morning encamped on Bull's-hill, with our right extending to the west road, and left to the east road; the flanking and covering parties still further towards the water on the right and left: one regiment was posted in a redoubt advanced on the right of the first line; Col. Henry B. Livingston, with a light corps, consisting of Col. Jackson's detachment, and a detachment from the army, was stationed in the east road. Another light corps under command of Col. Laurens, Col. Fleury, and Major Talbot was posted on the west road. These corps were posted near three miles in front, in the rear of those was the picket of the army, commanded by Col. Wade. The enemy having received intelligence of our movement, came out early in the morning with nearly their whole force, in two columns, advanced in the two roads, and attacked our light corps; they made a brave resistance, and were supported for some time by the picket. I ordered a regiment to support Col. Livingston, another to Col. Laurens, and at the same time sent them orders to retire to the main army in the best order they could: they kept up a retreating fire upon the enemy, and retired in excellent order to the main army. The enemy advanced on our left very near, but were repulsed by General Glover; they then retired to Quaker-hill. The Hessian column formed on a chain of hills running northward from Quaker-hill. Our army was drawn up, the first line in front of the works of Bull's-hill, the second in rear of the hill, and the reserve near a creek, and near half a mile in rear of the first line. The distance between these hills is about one mile. The ground between these hills is meadow land, interspersed with trees and small copses of wood. The enemy began a canonade upon us about nine in the morning, which was returned with double force. Skirmishing continued between the ad-

vanced parties until near ten o'clock; when the enemy's two ships of war, and some small armed vessels, having gained our right flank and began a fire, the enemy bent their whole force that way, and endeavoured to turn our right under cover of the ships fire, and to take the advanced redoubt on the right: they were twice driven back in great confusion; but a third trial was made with greater numbers, and with more resolution, which, had it not been for the timely aid sent forward, would have succeeded. The enemy were at length routed, and fled in great confusion to the hill, where they were formed, and where they had artillery and some works to cover them, leaving their dead and wounded in considerable numbers behind them. It was impossible to ascertain the number of dead on the field, as it could not be approached by either party without being exposed to the cannon of the other army. Our party recovered about twenty of their wounded, and took near sixty prisoners, according to the best accounts I have been able to collect; amongst the prisoners is a Lieutenant of grenadiers. The number of their dead I have not been able to ascertain, but know them to be very considerable. An officer informs me, that in one place he counted sixty of their dead. Colonel Campbell came out next day to gain permission to view the field of action, to search for his nephew, who was killed by his side, whose body he could not get off, as they were closely pursued. The firing of artillery continued through the day; the musquetry with intermission six hours. The heat of the action continued near an hour, which must have ended in the ruin of the British army, had not their redoubts on the hill covered them from further pursuit. We were about to attack them in their lines, but the men having had no rest the night before, and nothing to eat either that night,

night, or the day of the action, and having been in constant action through most of the day, it was not thought advisable; especially as their position was exceeding strong, and their numbers fully equal, if not superior to ours. Not more than fifteen hundred of my troops have ever been in action before. I should before have taken possession of the hill they occupied, and fortified it, but it is no defence against an enemy coming from the south part of the island, though exceedingly good against an enemy, advancing from the north end towards the town, and had been fortified by the enemy for that purpose.

I have the pleasure to inform Congress, that no troops could possibly show more spirit than those of ours which were engaged. Colonel Livingston, and all the officers of the light troops, behaved with remarkable spirit: Colonels Laurens, Fleury, and Major Talbot, with the officers of that corps behaved with great gallantry. The brigades of the first line, Varaun's, Glover's, Cornell's, and Green's, behaved with great firmness. Major-general Green, who commanded in the attack on the right, did himself the highest honour by the judgment and bravery exhibited in the action. One brigade only of the second line was brought to action, commanded by Brigadier-general Lovell; he, and his brigade of militia, behaved with great resolution. Colonel Crane, and the officers of artillery deserve the highest praise. I enclose Congress a return of the killed, wounded and missing on our side, and beg leave to assure them, that, from my own observation, the enemy's loss must be much greater. Our army retired to camp after the action; the enemy employed themselves in fortifying their camp through the night. In the morning of the 30th, I received a letter from his Excellency General Washington, giving me notice, that Lord Howe

had again failed with the fleet, and receiving intelligence at the same time that a fleet was off Block-Island, and also a letter from Boston, informing me that the Count d'Estaing could not come so soon as I expected, a Council was called, and as we could have no prospect of operating against Newport with success, without the assistance of a fleet, it was unanimously agreed to quit the island until the return of the French Squadron. To retreat in the face of the enemy, equal, if not superior in number, and cross a river without loss, I knew was an arduous task, and seldom accomplished if attempted. As our centres were within 200 yards of each other, I knew it would require the greatest care and attention. To cover my design from the enemy, I ordered a number of tents to be brought forward, and pitched in sight of the enemy, and almost the whole army to employ themselves in fortifying the camp. The heavy baggage and stores were falling back and crossing through the bay; at dark the tents were struck, the light baggage and troops passed down, and before twelve o'clock the main army had crossed, with the stores and baggage. The Marquis de la Fayette arrived about twelve in the evening from Boston, where he had been by request of the General Officers, to solicit the speedy return of the fleet. He was most sensibly mortified that he was out of action; and that he might not be out of the way in case of action, he had rode from hence to Boston in seven hours, and returned in six and a half, the distance near 70 miles. He returned time enough to bring off the pickets, and other parties which covered the retreat of the army, which he did in excellent order; not a man was left behind, nor the smallest article lost. I hope my conduct through this expedition may merit the approbation of Congress. Major Morris, one of my Aids-

Aids-de-camp, will have the honour of delivering this to your Excellency; I must beg leave to recommend him to Congress as an officer, who in the last, as well as in several other actions, has behaved with great spirit and good conduct, and doubt not Congress will take such notice of him as his long service and spirited conduct deserves. I have the honour to be, dear Sir, with much esteem,

Your Excellency's most obedient,  
and very humble servant,  
JOHN SULLIVAN.

P. S. The event has proved how timely my retreat took place, as one hundred sail of the enemy's ships arrived in the harbour the morning after the retreat. I should do the highest injustice if I neglected to mention that Brigadier-general Cornell's indefatigable industry in preparing for the expedition, and his good conduct through the whole, merits particular notice. Major Talbot, who assisted in preparing the boats, afterwards served in Col. Laurens's corps, deserves great praise.

JOHN SULLIVAN.

A return of the killed, wounded, and missing of the army under the command of the Hon. Major-general Sullivan, in the action of the 29th of August, 1778.

Killed: 4 Subalterns, 3 Serjeants, 23 rank and file.

Wounded: 2 Lieutenant-colonels, 1 Captain, 3 Subalterns, 13 Serjeants, 113 rank and file.

Missing: 2 Serjeants, 42 rank and file.

Total 211.

Published by order of Congress,  
CHARLES THOMSON, Sec.

*Boston, Sept. 3, 1778.* D'Estaing suffered so much in the storm he met with, that his ships took up a long time to repair: hence our failure at Newport, and hence the safety of Halifax; for had Rhode-Island fallen, Halifax would have soon followed.

*Extract of a Letter from Bristol, (America) August 30.*

"We could not grasp the laurel which suspended, on account of the delay of M. D'Estaing. The appearance of the French flag, at the great moment of assault, would have crowned the American arms with a complete conquest of Rhode-Island. Our people fought with an enthusiastic rage; and victory might yet have ensued, notwithstanding all our difficulties, had not near three thousand of our volunteers left us on account of M. D'Estaing's not coming to our assistance. We waited day after day for him with the most painful impatience, and should certainly have been in possession of Newport, had he come; for at Bull's-hill our gallant fellows seemed to have forgot that they were men, and braved surrounding perils with a spirit and emulation that was particularly noticed and most warmly applauded by General Sullivan.

"The cannonade on the English was admirably supported, and threw them into the utmost confusion. Vast numbers of their troops fell. An officer of distinction, with a most melancholly aspect, came into the field next day by permission, to look for his relation, a youth who had received a mortal wound, and dropped by his senior's side. I know not whether he found the dead body.

"No men in the world ever behaved better than Green's and Glover's brigades, tho' many of them had never seen service before. They repulsed the English, and drove them in such a manner as would have done credit to the most experienced veterans.

"General Sullivan has returned his thanks to Major-general Green, Colonels Crane and Laurens, Major Talbot, and to every other officer who distinguished himself in the field of action; and has ordered the promotion

promotion of several subordinate officers, whose particular bravery attracted the notice of their superiors."

By a letter from New York we are informed, that, in order to defend Rhode-Island the more effectually against the attack of D'Estaing's fleet and the provincials, the British were under the necessity of taking the guns out of the following vessels, which were planted on different places of the island, under the superintendance of the sailors. The vessels themselves were obliged to be destroyed, to prevent their falling into the hands of D'Estaing; but all the military stores and provisions were saved:

Juno, —	32 guns	burnt.
Lark, —	32	ditto.
Orpheus,	32	ditto.
Flora, —	32	sunk.
Cerberus,	32	burnt.
Falcon,	18	sunk.
King's Fisher	16	burnt.

*Boston, Sept. 3.* The Count D'Estaing has erected very formidable works on George's Island, in which he has mounted near 100 cannon of heavy metal, which he took from his fleet, with a determination to defend himself against any invasion from our enemy, while his fleet are repairing the damage they sustained in the late storm.

*An extract from General Orders of the 31<sup>st</sup> of August.*

The General congratulates his army upon their retreat from an island in the face of an enemy, which by comparing their numbers with his last returns, were superior to him, and has besides the command of the vale; under these circumstances to perform a retreat with as much regularity, without any confusion or disorder, and without the least loss of stores or lives in the retreat, must reflect the highest honour on the brave troops he has the honour to command.

*Fish-Kill, Sept. 10.* Deserters to a considerable number come out to our camp from King's Bridge from day to day; it is said Delancey's corps is reduced to less than 300.

*In Congress, Sept. 4, 1778.*

Whereas Congress did, on the 8th day of Jan. 1778, resolve, "That the embarkation of Lieutenant-general Burgoyne, and the troops under his command, be suspended till a distinct and explicit ratification of the Convention of Saratoga shall be properly notified by the Court of Great Britain to Congress."

Resolved, That no ratification of the Convention of Saratoga, which may be tendered in consequence of powers which may reach that case by construction and implication, or which may subject whatever is transacted relative to it to the future approbation or disapprobation of the Parliament of Great Britain, can be accepted by Congress.

Published by order of Congress.

CHARLES THOMSON, Sec.

*Boston, Sept. 14.*

By the Council of the State of Massachusetts-Bay.

#### A PROCLAMATION.

Whereas this Council have received information of a high-handed affray, or riot, happening in this town on the last evening, wherein several persons have been badly wounded, and one or more, it is feared, mortally so: and whereas the names of the persons concerned therein are at present unknown, and it being of the highest importance, that such outrages should be prevented, and offenders therein brought to condign punishment, this Council have thought fit to issue this their Proclamation, hereby requiring all Justices of the Peace, all Sheriffs, and their deputies, and all civil officers in their several districts, and departments, within the said State respectfully, to use their utmost

utmost endeavours for discovering, apprehending, and bringing to justice all such persons offending as aforesaid:

And we do also hereby promise a reward of three hundred dollars, to be paid out of the public Treasury of this State, to any person or persons who shall inform against, or discover any one or more concerned in these riotous and unlawful proceedings, so that he or they shall be convicted.

Given under our hands, at the Council Chamber, at Boston, this 6th day of September, A. D. 1778.

In the name and behalf of the Council,

JEREMIAH POWEL, President.

By their Honour's command,

JOHN AVERY, Dep. Sec.

The riot which occasioned the issuing a Proclamation by the Council of the State, offering an high reward for the discovery and apprehension of those concerned therein, was begun, it is said, by seamen captured in British vessels, and some of Burgoyne's army, who had insisted in privateers just ready to sail. A body of these fellows, demanded, we are told, bread of the French bakers, who were employed for the supplying the Count D'Estaing's fleet; being refused, they fell upon the bakers, with clubs, and beat them in a most outrageous manner. Two officers of the Count's being apprized of the tumult, and attempting to compose the fray, were greatly wounded; one of them is a person of distinguished family and rank. The inhabitants of the town resent this daring outrage, and are much concerned at the unhappy circumstance with which it has been attended. Strict search is making, by authority, for the offenders, who took advantage of the late hour in which it happened, for concealing themselves. The town has since been very quiet, and it is not doubted the inhabitants in

VOL. VII.

general, as well as the civil officers of order in this metropolis, and that those who are come among us to defend and supply us, may enjoy full protection of the laws, and the security of a well-governed city.

We are well informed that his Excellency the Count D'Estaing, upon hearing of the violence that had been committed on some of the people, in the late riot, and the dangerous wounds one or more of his officers had received, though much grieved, considered the matter in the calmest and most prudent light, and was thoroughly satisfied that it was highly disagreeable to the inhabitants, and that every proper method would be taken for finding out, and punishing the offenders. Such prudence and moderation mark this great man, and must disappoint the hopes of our enemies, who would be glad that every such accident might prove the means of creating dissensions of a more extensive nature.

*In Congress, August 26, 1776.*

Whereas, in the course of the present war, some commissioned and non-commissioned officers of the army and navy, as also private soldiers, marines and seamen, may lose a limb, or be otherwise so disabled as to prevent their serving in the army or navy, or getting their livelihood, and may stand in need of relief:

Resolved, That every commissioned officer, non-commissioned officer, and private soldier, who shall lose a limb in any engagement, or be so disabled in the service of the United States of America, as to render him incapable afterwards of getting a livelihood, shall receive during his life, or the continuance of such disability, the one half of his monthly pay from and after the time that his pay as an officer or soldier ceases; to be paid by the Committee as hereafter mentioned.

That every Commander of any ship

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ship of war or armed vessel, commissioned officer, warrant officer, marine or seaman, belonging to the United States of America, who shall lose a limb in any engagement in which no prize shall be taken, or be therein otherwise so disabled as to be rendered incapable of getting a livelihood, shall receive, during his life, or the continuance of such disability, the one half of his monthly pay from and after the time that his pay as an officer or marine, or seaman, ceases; to be paid as hereafter mentioned. But in case a prize shall be taken at the time such loss of limb or disability shall happen, then such sum, as he may receive out of the net profits of such prize, before a dividend is made of the same, agreeable to former orders of Congress, shall be considered as part of his half-pay, and computed accordingly:

That every commissioned officer, non-commissioned officer, and private soldier in the army, and every Commander, commission officer, warrant officer, marine or seaman of any of the ships of war, or armed vessels belonging to the United States of America, who shall be wounded in any engagement, so as to be rendered incapable of serving in the army or navy, though not totally disabled from getting a livelihood, shall receive such monthly sum as shall be judged adequate by the assembly or other representative body of the State where he belongs or resides, upon application to them for that purpose, provided the same doth not exceed his half-pay.

Provided that no commissioned officer, non-commissioned officer and private soldier in the army, Commander, commission officer, warrant officer, marine or seaman, of any of the ships of war or armed vessels belonging to the United States of America, who shall be wounded or disabled as aforesaid, shall be entitled to his half-pay or other allowance,

unless he produce to the Committee, or officer appointed to receive the same in the State where he resides or belongs, or to the assembly or legislative body of such State, a certificate from the commanding officer, who was in the same engagement in which he was so wounded, or in case of his death, from some other officer of the same corps, and the surgeon that attended him, or a certificate from the Commander of the ship of war or armed vessel engaged in the action in which any officer, marine or seaman, received his wound, and from the surgeon who attended him, of the name of the person so wounded, his office, rank, department, regiment, company, ship of war, or armed vessel to which he belonged, his office or rank therein, the nature of his wound, and in what action or engagement he received it:

That it be recommended to the several assemblies or legislative bodies of the United States of America, to appoint some person or persons in their respective States, who shall receive and examine all such certificates as may be presented to them, and register the same in a book, and also what support is adjudged by the assembly or legislative body of their State to those, whose case requires but a partial support, and also their payment from time to time of every half-pay and other allowance, and of the death of such disabled person, or ceasing of such allowance, and shall make a fair and regular report of the same quarterly to the Secretary of Congress or Board of War, where a separate record shall be kept of the same:

That it be recommended to the assemblies or legislative bodies of the several States, to cause payment to be made of all such half-pay or other allowances as shall be due to the persons aforesaid, on account of the United States.

Provided that all such officers and soldiers

soldiers that may be entitled to the aforesaid pension, and are found to be capable of doing guard or garrison duty, shall be formed into a corps of invalids, and subject to the said duty; and all officers, marines and seamen, of the navy, who shall be entitled to the pension aforesaid, and shall be found capable of doing any duty on board the navy or any department thereof, shall be liable to be so employed.

*In Congress, September 25, 1778.*

Whereas Congress by a resolve, passed on the 26th of August, 1776, made provision for commissioned and non-commissioned officers of the army and navy, as also for private soldiers, marines, and seamen, who should thereafter lose a limb in any engagement, or be otherwise so disabled in the service of the United States of America, as to render them incapable afterwards of getting a livelihood: and whereas divers officers and others have lost limbs, or been otherwise disabled as aforesaid, before the said 26th of August, to whom the like relief ought equitably to be extended:

Resolved, That all provisions and regulations contained in the said resolve of the 26th of August, 1776, shall extend to all persons who lost a limb, or were otherwise disabled as aforesaid in the service of the United Colonies or States of America, before the said 26th of August, and since the commencement of hostilities on the 19th of April, 1775.

And whereas doubts may arise in some cases whether certain persons maimed or disabled, and claiming pensions, were at the time in the service of the said Colonies or States: for removing the same,

Resolved, That every commissioned and non-commissioned officer and private man, who, since the commencement of hostilities as aforesaid, has been, or hereafter shall be drawn forth for the common defence (and not for

the service of any particular State) or who has turned out, or shall hereafter turn out, voluntarily to oppose the enemies of the said United Colonies or States, upon any sudden attack or invasion, or upon any enterprise carried on under their authority, and in such service has lost, or shall lose a limb, or has been, or shall be otherwise disabled as aforesaid, shall be entitled to the pension allowed in the said resolve of the 26th of August, 1776.

Provided that any such commissioned or non-commissioned officer or private men, being found capable of doing guard or garrison duty, shall be subject thereto, and serve in the corps of invalids when required, or on refusing so to do, shall be struck off the list of pensioners, unless the person so refusing have a family, or be otherwise peculiarly circumstanced, and the Governor or President and Council of the State he belongs to, or in which he resides, are of opinion an exception should be made in his favour, and an exemption granted him from such service, a certificate of which opinion he shall produce previous to his receiving his pension.

And whereas it may happen that many persons maimed or disabled as aforesaid, by reason of their falling into the hands of the enemy, the deaths of their officers and surgeons, or other accidents, may not have it in their power to procure the certificates required by the afore-mentioned resolve, to intitle them to their pensions:

Resolved, That in such cases application be made to the Governor or President and Council of the State, to which any person maimed or disabled as aforesaid belongs, or in which he resides, and upon shewing to him or them satisfactory proof, that he was maimed or disabled in the manner before mentioned, and producing his or their certificate thereof,

thereof, he shall be entitled to and receive a pension in like manner as if he produced the certificates required by the said resolve.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*Edict of the French King for raising four millions of life annuities.*

*Given at Versailles in the month of November, 1778.*

*Registered in Parliament, Nov. 27, 1778.*

Lewis, by the grace of God, King of France and Navarre, to all to whom these presents shall come, greeting. What we owe to the safety of our kingdom, to the protection of our colonies, and to the dignity of our Crown, having determined us to re-establish our marine, we have to attain this object made great exertions; and have raised it to the highest degree to which it has been carried in this century. We have not been able so to do without very considerable extraordinary expences; and they have been increased by events which the circumstances of the times have given rise to. Obligated to convey troops beyond the seas, to make great levies of seamen, to furnish our arsenals, and to multiply the equipments in our ports, nothing less than an active vigilance, and the most strict order in every part of our finances, was necessary to execute these designs, and to fulfil these obligations without the help of any new tax; and yet, from the exact and detailed accounts which we have caused to be laid before us, we have observed, that by a continuation of reform and oeconomy, by the attention given to several neglected branches of our revenues, by a greater reserve in the granting of favours, by the absolute refusal both of burthensome affairs, and of interests useless in employments and in the finance; and, in fine, by the benefit of annual extinctions, we were thus

arrived at being able to balance our revenues with our ordinary expences, and to provide for the interest of the private loans which have been made.

Lastly, we have moreover seen, that independent of the funds destined for reimbursements, we should still have, besides our ordinary expences in time of peace, an unappropriated revenue equivalent to the interest of the new loan which we propose to open; we have, by just motives, determined this loan to be by annuities for lives, fixing it at an annual payment of four millions, under the deduction of one tenth.

Independent of this help, we have contrived to keep in hand other resources which will not be burthensome to our people, so that we do not despair of being further able to defray the expences of next year, without imposing any extraordinary tax. We should, however, have taken that step, at least as far as to pay the interest of the new loan, if after the exact information we have received of the situation of our finances, we had judged it necessary; for we shall always consider it as one of our most strict obligations never to borrow, without having secured the interest of the lenders, who, trusting to our justice and to our good faith, enable us not to have recourse to taxes proportioned to the wants of the State, the weight of which would be too burthensome to our people.

We should have wished, without doubt, to have employed, in ease of our subjects, the fruits of our different oeconomies, and of the laborious pains which we have taken: it was our design and our hope, and if circumstances have put at a distance that satisfaction, we will not cease to tend to that end; for we are guided neither by motives of ambition, nor by the desire of acquiring new possessions; content to watch over the happiness of those faithful subjects which Providence has submitted to our

our Government, we find this task of sufficient magnitude; and animated with the desire of fulfilling it, at the same time that we will maintain with all our efforts the glory of our arms, we will concur with satisfaction in the re-establishment of peace as soon as it can be reconciled with the interest of our kingdom, the maintenance of our rights, and the dignity of our Crown. Actuated by these and other causes, by the advice of our Council, by our own knowledge, full power, and royal authority, we have, by this present, perpetual, and irrevocable Edict, declared, ordered, and ordained, declare, order, and ordain, the following to be our will and pleasure;

ARTICLE I. We have contracted, and do hereby contract, for four millions of livres, to be actually and effectually raised on annuities for lives, which shall be sold and disposed of to our dear and well-beloved the Mayor and Sheriffs of our good city of Paris, by the Commissioners of our Council which shall be by us nominated, to raise and levy them upon all monies arising from our duties on wine and salt, and the five capital duties\*, and we oblige ourselves to the payment of the above arrears at our Royal Treasury, which arrears may be acquired either on one life, at the rate of ten per cent. per annum, or on two lives, at the rate of eight and a half per annum. The whole without distinction to age, and at the choice of the purchasers.

ART. II. The above arrears shall be subject to the retention of one tenth mortmain, and exempt from every twentieth, the four-pence per pound raised on the first twentieth, and from every other general imposition whatever, which may take place hereafter.

ART. III. The particular confi-

tutions, which cannot be less than fifty livres on a single life, and upon two lives, less than forty livres ten pence annuities, shall be made by the said Mayor and Sheriffs, without paying regard to age, at the rate of ten per cent. on a single life, and eight and a half on two lives, to those who shall deposit adequate capitals in the hands of Mr. Micault d'Harvelay, Keeper of our Royal Treasury, for the benefit of such purchasers, during their own lives, or the lives of any other persons they shall think proper to appoint, and the contracts shall be confirmed before such notaries at the Chatelet of Paris, as the said purchasers shall choose, without any expence to them, as such notaries shall be provided by us with reasonable salaries.

ART. IV. The office of our said Royal Treasury shall be open, immediately after the publication of this Edict, to receive such capital sums; which sums shall bear interest from the first day of that quarter, in which such capital sums were deposited in our Royal Treasury, of which mention shall be made in the receipts of the said Keeper of our Royal Treasury.

ART. V. The sums necessary for the payment of such arrears, shall be remitted in such manner as shall be determined on in our Council, to pay the said annuities, from the produce of our duties on wine and salt, and the five capital duties, as is usual for the payment of the arrears of other annuities, whether perpetual or for life only, fixed on our said duties, and that the said sums shall not be applied, at any time, to or on any account, to any other purposes whatever.

ART. VI. All persons, of what age, sex, or condition soever, even those in religious orders, who may

\* The five capital duties contracted for in Paris, are on liquors, sauff, tobacco, tolls on entering into Paris, and on stamped paper.

have

have saved any sums of money, may purchase the said annuities, and enter their contracts in the names of such persons as they shall choose, with reservation of possession to themselves, and other clauses and conditions which they shall judge proper, of which mention shall be made in the receipts of the Keeper of our Royal Treasury, empowering them to enjoy the same, during the life of the person they shall nominate, either in their own person or that of others, how and in what manner they shall think proper.

ART. VII. The said annuities shall be paid every six months, by the Paymaster of annuities at the Town-hall, in the same form and manner as the other life annuities are paid, and conformably to the different regulations which have been made for the proper management of the same; the expence of the payment of such annuities shall be passed and allowed, without any obstruction, in the accounts of the said Paymasters, agreeably to the contract made for that purpose.

ART. VIII. The annuities established on one life only, shall be paid to the day of the decease of such person on whose life such annuity was granted; and such annuities as are established on two lives, shall be paid until the day of the decease of the surviving party, to such as shall prove their right thereto, by producing the funeral certificate properly authenticated, and other necessary vouchers. The annuities granted on the principal sums advanced shall revert to us to our use solely, so soon as all the lives on which they were granted, shall be expired.

ART. IX. Foreigners not naturalized, resident in our kingdom, and even those resident out of our kingdom, countries, lands, and lordships, under our dominion, shall have liberty, as well as our own subjects, to

purchase the said annuities, as also the subjects of those Princes and States with whom we may or shall be at war. And we order, in consequence thereof, that the said annuities and arrears, which shall be due to the day of the decease of such annuitants, shall be secured from the capture of all letters of marque and reprisals, the rights of escheatage, baltardy, confiscation, or any other rights belonging to us, which we have renounced, and do renounce, conformably to what is ordered respecting the other annuities at the said Town-hall, by the Edict of the month of December, 1674. and others subsequent thereto.

ART. X. If any dispute should arise with respect to the payment of the interests of the life annuities, or as to the term and validity of the receipts given by the annuitants, we hereby authorize the Mayor and Sheriffs of our good city of Paris, immediately to make a judicial and summary enquiry into the same, free from all expence; but liable, however, to an appeal to our Court of Parliament of Paris, which appeal shall not prevent the provisional execution of the judgment given by the said Mayor and Sheriffs. We hereby command our trusty and well-beloved counsellors, who compose our Parliament at Paris, to cause this Edict to be read, published, registered, and entered on the records, to be observed and executed according to its form and-tenor, for such is our pleasure. And in order to make it for ever the more firm and permanent, we have hereunto affixed our seal.

Given at Versailles, in the month of November, in the year of our Lord one thousand seven hundred and seventy-eight, and in the fifteenth of our reign.

(Signed)

Lewis, &c.

CASE.

For the REMEMBRANCE.

C A S E.

The Deputy Lieutenants and officers of the first regiment of Devonshire militia having lately, since they have been embodied, met with some obstructions in the execution of the militia laws, by parish officers and others refusing to pay the families of substitutes, hired men, and volunteers, the allowance directed by the militia laws, under pretence that they are not entitled to such allowance as men chosen by lot are; and sometimes, instead of any allowance, the overseers threaten to seize and sell their goods, and order their families to the parish workhouse; and some Justices of the peace have refused to make orders for such provision for the families of substitutes under the above idea, while others have made their orders for only 9d. when the common price of labour in husbandry is upwards of 1s. per day.

You are therefore desired to consider the several militia laws now existing, particularly the 2d Geo. III. c. 20. p. 729. and 18 Geo. III. c. 59. p. 1047. and advise

Whether parishes are or are not obliged to make the same provision for the families of substitutes, as of those men drawn by lot; and whether the families of both, when embodied and in actual service, do or do not stand (by the late Act particularly) exactly on the same footing, or wherein they differ; and whether substitutes, volunteers, and hired men, have not exactly the same privileges with men drawn by lot; and if the Overseers refuse, and Justices will not enforce the allowance to the families of such substitutes, what is the proper, the shortest, and speediest method to provide for them, and obtain redress. May not the Justices be required to provide for the families of substitutes, hired men, and volunteers, as for those men drawn by lot? And whether Justices can

confine the allowance to the proportion of 9d. only for the wife and each child, not exceeding the number of children directed by 2 Geo. III. when the common price of a day's labour in husbandry through the county is not so little as 1s?

*Answer.* The substitute, volunteer, and a hired militia man, are, in respect to the support of their families, entitled to exactly the same allowance as the man drawn by lot, and serving.

The 2d Geo. III. s. 81. provides for the case of families unable to support themselves, by the parent being called out into actual service, but not so reduced as to be left entirely upon the charge of the parish, the allowance in that case is a weekly payment, equal to the price of one day's labour in the district, for the wife, and for each child under the age of ten years, this allowance is made in aid of their support. The 18 Geo. III. makes no provision specifically for the ease of the families becoming chargeable to the parish, which by both Acts is supposed to be sufficiently provided for by the antecedent laws for the relief of the poor; but, in order to induce the Overseers and Magistrates to be liberally attentive to such families who become chargeable by the parents employment in the public service, the parishes are to be relieved of one half of the expence by the county at large.

The Justices are bound to make the allowance specified in the 2d Geo. III. and where the ordinary price of labour is 1s. they have no right to reduce the allowance to 9d. the refusal to make any order in the case of families becoming chargeable, or requiring the aid specified in the 2d Geo. III. or the not making an order to the extent the Act directs, are a neglect of duty, for which the Justice is answerable in the same manner as for any other wilful neglect in the execution of his office. The proceeding to correct these neglects

gleads is not very speedy, but is very severe; and the prudence, as well as the duty of the Magistrate, will, in general, prevent him from exposing himself to it.

AL. WEDDERBOURN.

27th June, 1778.

*For the REMEMBRANCE.*

OBSERVATIONS on the PRECEDING OPINION, and on the MILITIA LAWS. In a Letter from one country Justice to another.

Dear Sir,

I Received your favour of the 20th instant, with a copy of the A. G.'s opinion (if it be really his opinion) or answer, or mandate, or whatever you please to call it: I am obliged to you for so early a compliance with my request, as I acknowledge I had a curiosity which bordered on impatience, to see on what grounds it was possible to support so strange and novel a doctrine, as that "The denomination of our poor, not their particular circumstances or necessities, shall determine the magistrate in that act, in which justice calls as loudly upon him on the one hand, as humanity on the other, for the strongest exertion of his prudence and discretion." I have seen it, and am satisfied.—And now, my dear Sir, I shall obey your commands, for such your requests will ever be to me, by giving you (unequal as I feel myself to the task of combating such high authorities) my sentiments on the question, with that freedom, which becomes an *Englishman*, and a man grown grey in the service of his country.—I must however promise, that I cannot altogether concur with you in the epithets, by which you characterize this curious paper: —*extravagant* if you please, but, circumstances considered, surely not extraordinary: it is apparently the very opinion, which was solicited;

it is the very opinion, I should have expected. But how it could furnish matter for so long and warm a debate (as you say it did) between gentlemen of the first rank in the county, in point of understanding and abilities as well as station, who ought to be as uniform in their views, as they are united in their duty and in their interests, I cannot easily conceive.—I have read over the opinion, and the statutes on which it is said to be founded, with all the attention I could exert; with all the little judgment I could possibly muster up on the occasion; and, I am sure, with all the candour and impartiality which becomes an enquirer after truth; and I acknowledge I cannot see a single clause, line, or even word, in either of the statutes, which will justify the assertion, or admit of the interpretation contended for. I see not the least article of *claim*, or *title* to relief, in either case, viz. that of *substitutes* or *ballotted men*, but what originates from the circumstances of the families, the compassion of the parish officers, and the discretion of the magistrate:—'tis true, indeed, the relief given on those occasions differs from that which is given in common cases under the ordinary direction of the poor-laws, in that it does not subject those who receive it to those disqualifications or disfranchisements (if you will allow the term) which an ordinary pauper legally incurs, when he becomes burthensome to a parish; nor (as I think) to that mode of treatment by workhouses, and seizure of effects, to which the parish-officer, in point of law, may, and frequently in point of prudence ought to have recourse in other cases—(for I consider that power as a judicious provision to awaken the industry, check the idleness, and dissipate of those voluntary paupers, which constitute by much the largest part

part of the very numerous band of parish-pensioners.—In this I readily concur with the learned gentleman and his friends; and this principle has been my constant rule of action, whenever I have had occasion to mediate between parish-officers and the families of militia men, long before I had the honour of his directions upon the subject:—but still I deny, that there is any such thing as *claim*, or *title* to relief, on the part even of the drawn-man, much less of the volunteer or substitute, but what originates from circumstances (the circumstances, I mean, in which the family of the militia-man is left); or that the Magistrate is by any declaration of the legislature, in the exercise of this act of his office, divested of his power, or denied the use of his judgment and discretion; more positively still do I deny that strange position, that the Act of the last session of Parliament “has placed the volunteer and the substitute on the same ground occupied by the ballotted-man, under the authority and sanction of the second of George III, ch. xx, s. 81.—” a position not warranted by all the Militia laws put together; by letter, spirit, or even by implication, or possible deduction.

And is this (methinks I hear you say) all the authority I am to have for my satisfaction in this enquiry? Are my ideas to be formed, my judgment influenced, and perhaps my practice regulated, by the bold assertion, the simple opinion (I do not mean to play upon the word) of a *Barle country justice*, who has the *hardship* to deny that privilege to the great (and learned sage, the giant of the law)?—No, Sir, I am not so unreasonable as to expect it. If you please we will now turn to the statutes themselves, and see whether they speak the same language or not: there you will judge

Vol. VII,

for yourself (if indeed you have not already done it); for my part, I own myself one of those saucy Englishmen, who will, in spite of such authorities, as long as my faculties will permit me. And if I should be so unfortunate as to find your sentiments on the subject different from mine, you will pardon me; but, highly as I think of you, it may mortify my vanity, and not easily get the better of my obstinacy.—Well then; my good friend, say you, I hope you have taken care that this same obstinacy of yours is pretty well grounded.—I trust I have; whether you shall think so or not, will, as you sometimes say on such occasions, depend upon contingencies; I am not afraid, however, to venture on the experiment.

The only passages with which we have any concern are ch. xx. s. 81. of the second of his present Majesty, and the last clause but five (I do not know how to mark it otherwise at present) of the Act *to amend and render more effectual, &c.* passed at the close of the last session of Parliament. The first is totally silent with respect to substitutes, hired men (if there be any difference between substitutes and hired men, or any thing in the distinction more than the mere redundancy of the law-language), and volunteers, exclusive of such as were entered and enrolled in either of those characters previous to the 22d day of May, 1760; and may therefore at this period be said to relate (with very few exceptions indeed, to which exceptions I have always paid proper attention) to the families of ballotted or drawn men only. And what does it say?—Let it speak for itself—“if any militia man, who shall have been accepted and enrolled as a substitute, hired man or volunteer, before the twenty-second day of May, one thousand seven hundred and sixty; or if any militia-man, who shall

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" shall have been chosen by lot, whether before or after the twenty-second day of May, one thousand seven hundred and sixty, shall, when embodied and called out into actual service and ordered to march, leave a family *unable to support themselves*, the Overseer or Overseers of the poor of the parish, tything, or township, *where the family of such militia-man shall dwell*, shall, by order of some one Justice of the peace, out of the rates for the relief of the poor of such parish, tything, or township, pay to such family a weekly allowance, according to the usual and ordinary price of labour in husbandry, within the said county, riding, division, district, or place, where such family shall dwell, by the following rule: that is to say, for one child under the age of ten years, *any sum not exceeding* the price of one day's labour; for two children, not exceeding the age aforesaid, *any sum, not exceeding* the price of two days labour; for three or four children, not exceeding the age aforesaid, *any sum not exceeding* the price of three days labour; for five or more children, *any sum not exceeding* the price of four days labour; and for the wife of such militia-man, *any sum not exceeding* the price of one day's labour; and in every parish, tything, or township, where the money arising by such rates shall not be sufficient for the purpose aforesaid, a new rate or rates shall be made for raising a sum sufficient for that purpose; and *every such weekly allowance* shall be forthwith reimbursed to the Overseer or Overseers of such parish, tything, or township, by the Treasurer of the county, riding, or place, where such parish, tything, or township, shall be situate, out of the public stock of such county, riding, or

" place."—Now, Sir, I must request you to keep your eye upon the sense of expression, *ANY SUM NOT EXCEEDING*, &c. and then tell me what is the plain and obvious meaning of all this, but that the Justice shall use his ordinary discretion to judge whether the family so left be, or be not, proper objects of relief, within the provision of the clause; he, or be not, "unable to support themselves."—Does not then the clause to the allowance here stated, and truly arise, as I have said, from the circumstances and necessities of the family, and not simply from the denomination or character of the husband or the father who leaves a wife or children behind him, "when called out into actual service," able or not able *to support themselves*;—in short, is the allowance to be made by way of relief for the better support of the family, or is it a mere honorary pension?

The clause (with reverence be it spoken) is, it must be confessed, rather awkwardly worded; but yet I think it will scarce be said, that the part assigned to the magistrate in this transaction is merely official; that the Justice is no more than a machine in the hands of the parish officer (a low mechanic, perhaps, or an illiterate farmer) whose instructions and commands he is on this occasion to receive and obey; that the latter shall say to the former, "Sir, I require you to order me to pay such sums out of other man's property, as I shall point out to you."—The idea is much too ludicrous:—To be serious therefore; this clause seems to me to be rather of a restrictive, than a declaratory and imperative nature; and to be designed as a check on the liberality (or, if you will, the extravagance) of a magistrate, who having (as is sometimes the case) but a small property of his own, might occasionally be induced to be profuse and lavish

lavish of *that* of his county, on which the burthen is ultimately to fall, rather than to require, or to empower him, to draw a discretion on the purses of his more opulent neighbours.—This, I own, is the idea suggested to me by the several proportions therein stated, as well as by the words already so often cited, “ shall leave families unable to support themselves.” Not that I can by any means admit this clause to be so far *restrictive*, as to disable the magistrate from granting *more extensive* relief to the families of militia-men absent on duty, if particular distresses or their real necessities shall require it; but I am sure it is not so far *compulsive* as to exact from him orders for relief in those, or any other proportions, whether it be wanted or not.

I could remind you, but I think I need not, of some very extraordinary instances which happened when the militia were last embodied; when under this mistaken idea of claim or title, this county was burthened with the payment of amazing sums to the families of serjeants and others whose circumstances approached nearer to affluence than want; the story of the silver tankard, purchased by one of them at his return out of these *allowances*, as they were called, and inscribed *militia*, was then in every one's mouth. When the militia was a new and unexperienced thing, this case was perhaps more likely to occur than it is at present. You cannot have forgot how sensibly this burthen was felt: what reflections it occasioned, and what warm and spirited remonstrances it drew from some gentlemen of rank, whose property, as the most considerable, was the most severely affected by it: those heats have, indeed, long since happily subsided; but it surely behoves us to wish and to use our best endeavours, that there never

may be in future any occasion to rekindle them.

So much for the Act of the second of the King; let us now, if you please, turn to that of the last session of Parliament, which gave rise to this curious *opinion*, and in consequence of it to the very disagreeable business you so pathetically lament. The words of the only clause in that Act which relates to this matter, you know, are these, “ whereas the “ families, of substitutes, hired men, “ or volunteers, serving in the militia “ when embodied or called out into “ actual service and ordered to “ march, *may become chargeable to “ the parishes to which they belong*; “ be it therefore enacted by the “ authority aforesaid, that one half “ of the allowance made to such “ families shall be reimbursed to “ the Overseer or Overseers of the “ parish, tything, or township, *where “ the family of any such substitute, “ hired man, or volunteer, shall “ become chargeable*, by the Treasurer of the county, riding, or place, in which such parish, tything, or township, shall lie.”—The position drawn, or rather extorted from these plain words by the learned respondent, is this, “ the substitute, “ volunteer, and hired militia-man, “ are, in respect to the support of “ their families, *entitled* to exactly “ the same allowance as the man “ drawn by lot, and serving.”—Can you fail to remark something singularly modest in the stile of this answer? None of your “ *I conceive*” or “ *I apprehend*” or “ *I am of opinion*”; that is beneath our “ dignity; but the substitute, volunteer, &c. are *entitled*,”—*Sic volo, sic jubeo*; laconic, and decisive:—I am ill in the vein for pleasantry; upon my word the subject is much too serious for it; but yet I cannot help thinking of *Jack Cade*, in Shakespeare's *Henry VI*, (part 2, act 4, scene 7.) “ I have thought upon  
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“ it; it shall be so; my mouth shall be the Parliament of England.” — This decree is followed, you see, by a recital of the 81st section of ch. xx. of the 2nd of George III, with annotations, critical and explanatory, “ unable to support themselves, but not so reduced as to be left entirely to the charge of the parish.” Parliament is much indebted to the gentleman for his illustration of their meaning; and we are under no less obligation for his friendly aid to our weak understandings.—I need not remind you of the custom among the Winchester school-boys in making their exercises, to apply to a class-mate for *sense*; I presume the learned gentleman imagined this to be a very rare qualification among country justices, and was therefore willing, kindly to supply the defect without solicitation. I must not lose sight of this elucidation, I may possibly want to make some use of it before I have done; I cannot however help remarking, in the mean time, on the excellence of that kind of proof of resemblance, which is drawn from dissimilarity: but to return to the clause; never was inference more unluckily deduced, conclusion less warranted by promises; is there a single sentence, line, or even word in it, which points at this construction? No, I will be bold to say, not a syllable which speaks or can even be made to speak such a meaning; not the least reference to the 81st sect. of ch. xx. of the 2nd George III; not one *whereas* there is mention only of drawn-men in that clause, be it enacted that henceforward substitutes, volunteers, and hired-men, shall in respect to relief be considered exactly in the same light, as drawn-men; on the contrary, the manifest distinction made by reason and equity, between the substitute and the drawn-man, one the soldier of choice, the other of necessity, is evidently preserved by the

law. In a word, the last Act leaves the families of the substitute, and the volunteer, just where it found them, under the 2nd of George III, to be provided for by the known laws of their country; but Parliament humanely considering, that the wives and children of substitutes, &c. must eat, as well as those of drawn-men; and foreseeing that great part, if not the whole of their support, when the husband and the father, the principal source of it, should be taken from them, must probably fall on the parishes to which they belong, not where they dwell, as in the former Act (that distinction is worth your observing); and justly concluding that this must bring a very heavy burthen on parishes, many of whose thoughtless inhabitants should sacrifice their conjugal and parental duties and affections to military glory, or a tempting premium; enacted, that “ one half of the allowance made” (whatever that allowance should be) for the support of “ such families” should “ be reimbursed to the parish-officer, “ by the Treasurer of the county.” So that in fact the provision made by the last Act, is not by any means a provision for better relief of the poor of any denomination whatever, (a matter long since sufficiently secured, and sufficiently known and understood,) but really and truly for the relief of parishes, drained of their handicrafts-men and labourers by the service of their country, and the exigencies of the times. Give me leave just to add, that the idea ascribed to the clause in the Act of the 18th of George III, could not possibly be the idea of Parliament, otherwise they would never have permitted it to receive the solemn sanction of their approbation in terms so inexpressive of, so inadequate, nay, so contrary to their meaning.

So much for the Acts; with regard

regard to the remaining part of the opinion, the mode of compelling Justices to enforce from parishes a larger allowance than they verily and in their consciences might think right, reasonable, just, necessary, or even legal (as I solemnly protest would have been the case with myself, and I sincerely believe with many other magistrates, by no means defective either in integrity or understanding, had this opinion been implicitly adopted as the rule of action). I shall only say of the *genera*, that it gave me a real and sincere concern to see it in the *state*; but with respect to the *solusio*, it requires a greater degree of humility, or rather abjection of mind, than becomes a gentleman, or is even necessary for a Christian, not to say that it deserves an appellation which I am unwilling to give it.

Can you forget the words? I never shall.—“The Justices are bound to make the allowance specified” (though we were a few lines before told what Parliament had done to induce the magistrates to be liberally attentive to such families?) “the refusal to make any order in the case of families becoming chargeable, or requiring the aid specified in the 2d of George III, or the not making an order to the extent the Act directs, are a neglect of duty, for which the Justice is answerable in the same manner, as for any other wilful neglect in the execution of his office;—the proceeding to correct these neglects” (he might as well have spoke out, and said, “to correct these country ———”) but I will not aggravate; indeed I have no need for it)—“is not very speedy, but it is very severe, and the prudence, as well as the duty, of the magistrate will in general prevent him from exposing himself to it.”—Mightily terrific truly! but somewhat vague. If the gentleman is

so much concerned for our safety, why had he not told us the nature and extent of that very severe punishment with which we are to be corrected?—What! are we to be frightened, like children with the noise of a nurse, “Be a good boy, or you shall see what I will do to you?”—Patience, by your leave a moment. Is this language to be held out to magistrates, men, who upon the most disinterested principles, sacrifice so great a part of their time, necessarily some part of their fortunes, frequently a portion of their health, to the service of the public, and are even liable to be called upon to put their lives to the hazard, as in the case of riots and public disturbances; many of whom are gentlemen of the first rank and character, in the respective counties wherein they reside?—Surely not: on the contrary, it appears to me to be manifestly injurious and affronting to every magistrate in the kingdom, and consequently to those very gentlemen who were most immediately concerned in the question.

I am, dear Sir,

Your faithful and affectionate  
Friend and servant, &c.

17. S. On looking over my letter, I am really in some doubt, whether I have sufficiently explained my meaning in what I have said with relation to the *restrictive* force of the 2d of George II. My idea of that matter is, that the *cause* is so far restrictive, and so far only, as relates to the county charges; it points out the utmost extent of the sums liable to be reimbursed by the Treasurer to the parish officer; but not the extent of the relief, which may be inadequate to the real wants of the family; the rest, if more be *bona fide* necessary, to be borne by the parish: at the same time it does not prescribe to the Justice for any sum whatever more than he deems to be just and necessary.

necessary, but for *any sum* only which he shall think right, *not exceeding* the proportions specified in the Act.

By the EARL of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq. his Majesty's Commissioners, &c. &c. &c.

### A PROCLAMATION.

Whereas in pursuance of an Act, made and passed in the eighteenth year of his Majesty's reign, entitled, "An Act to enable his Majesty to appoint Commissioners, with sufficient powers to treat, consult, and agree, upon the means of quieting the disorders now subsisting in certain of the colonies, plantations, and provinces, in North America"—his Majesty has been pleased to authorise and empower us, by Proclamation under our respective hands and seals, from time to time, as we shall see convenient, to suspend the operation and effect of a certain Act of Parliament, made and passed in the sixteenth year of his Majesty's reign, for prohibiting all trade and intercourse with certain colonies and plantations therein named, and for purposes therein also mentioned, or any of the provisions, or restrictions therein contained, and therein to specify at what time and places respectively, and with what exceptions and restrictions, and under what passes and clearances, in lieu of those heretofore directed by any Act or Acts of Parliament, for regulating the trade of the colonies and plantations the said suspension and Proclamation, in the same manner and form to annul and revoke.

And whereas his Majesty, in pursuance of the said first recited Act, has been farther pleased to authorise and empower us, from time to time, as we shall judge convenient, to suspend in any places, and for any time during the continuance of the said first recited Act, the operation

and effect of any Act or Acts of Parliament, which have passed since the tenth day of February, 1763, and which relate to any of the colonies, provinces or plantations, therein mentioned, so far as the same relate to them or any of them, or the operation and effect of any clause or any provision, or other matter, in such Acts contained, so far as such clauses, provisions or matters, relate to any of the said colonies, provinces or plantations.

And whereas the disorders still continuing in part of the province of New-York, and the hostilities subsisting between his Majesty's subjects of this port, and those of the neighbouring provinces for the present prevent our framing and instituting a commercial plan on those liberal principles on which Great Britain wishes to re-unite with the American Colonies; we are nevertheless desirous, until such a plan can be established on a large and permanent basis, to give all immediate relief and security to the trade carried on by his Majesty's loyal subjects at the port of New-York.

We therefore find it convenient to suspend, and do hereby from the date of this Proclamation, suspend so much of the aforesaid Act of Parliament, made and passed in the sixteenth year of his Majesty's reign, for prohibiting all trade and intercourse with certain colonies, provinces, and plantations therein named, as prevents the exportation of goods formerly allowed to be shipped from this port to Great Britain, Ireland, Newfoundland, Quebec, Rhode-Island, East and West Florida, and the British West-Indies; the articles of stores and provisions, naval and military stores excepted; and we do hereby authorise the officers appointed in the Proclamation issued by his Excellency Sir William Howe, on the 17th July, 1777, to grant permissions for the loading and due exportation

portation of such first mentioned goods to the places aforesaid, under the restrictions and regulations made and set forth in the said Proclamation.

And whereas his Majesty, in pursuance of the said first recited Act of Parliament, has been farther pleased to authorise and empower us, to grant pardon or pardons to any number or description of persons within the colonies, provinces, or plantations, mentioned in the said Act,

And whereas, by an Act of Parliament made and passed in the seventeenth year of his Majesty's reign, entitled, "An Act to authorise the carrying of the captures therein mentioned, into any port of his Majesty's dominions in North America; and for ascertaining the value of such part of ships and goods as belong to the captors,"—it is enacted, that the persons appointed by his Majesty, to grant pardons, may grant his licence or warrant, authorising any captors, or any other persons in their behalf, to carry the captures therein described, into any harbour or place in any of his Majesty's dominions:—

We do hereby give full licence and warrant to the Commanders of his Majesty's ships and vessels of war, and to all others legally and properly authorised, to make the captures described in the above mentioned Act, to send all such captures to the ports of New-York, and Newport in Rhode-Island: and we further declare, that such captures, or any part of such captures, after condemnation as lawful prize, may be exported into and landed in Great Britain, or any other of his Majesty's dominions, upon payment of the same duties, and subject to the same restrictions, in all other respects, as the same now are subject to by the said recited Act; the officers appointed in the Proclamation of his Excellency Sir William Howe, afore mentioned, granting

such licences for the said exportations, as we shall direct.

And we further declare, that this Proclamation shall commence from the date hereof, and continue to be in force for three kalendar months, from the said date, or until we shall think proper to annul and revoke it.

And pursuant to his Majesty's commission, we hereby call upon all officers, civil and military, and all other his Majesty's loving subjects, to be aiding and assisting unto us in the execution of this our Proclamation, and of other matters herein contained.

Given under our hands and seals in New-York, 26th September, 1778.

(L. S.) CARLISE.

(L. S.) HEN. CLINTON.

(L. S.) WM. EDEN.

By their Excellencies Command,  
ADAM FERGUSON, Secretary.

## MANIFESTO

AND

PROCLAMATION.  
To the Members of the Congress, the Members of the General Assemblies or Conventions of the several Colonies, Plantations and Provinces of New Hampshire, Massachusetts's bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the Three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, and all others, inhabitants of the said Colonies, of every rank and denomination.

By The Earl of CARLISE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq. Commissioners appointed by his Majesty, in pursuance of an Act of Parliament, made and passed in the 18th year of his Majesty's reign, to enable his Majesty to appoint Commissioners to treat, consult, and

and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces in North America.

Having amply and repeatedly made known to the Congress, and having also proclaimed to the inhabitants of North-America in general, the benevolent overtures of Great Britain towards a re-union and coalition with her Colonies, we do not think it consistent either with the duty we owe to our country, or with a just regard to the characters we bear, to persist in holding out offers, which, in our estimation, required only to be known to be most gratefully accepted: and we have accordingly, excepting only the Commander in Chief, who will be detained by military duties, resolved to return to England, a few weeks after the date of this Manifesto and Proclamation.

Previous however to this decisive step, we are led by a just anxiety, for the great objects of our mission, to enlarge on some points which may not have been sufficiently understood, to recapitulate to our fellow subjects the blessings which we are empowered to confer, and to warn them of the continued train of evils to which they are at present blindly and obstinately exposing themselves.

To the members of the Congress then, we again declare, that we are ready to concur in all satisfactory and just arrangements for securing to them, and their respective constituents, the re-establishment of peace, with the exemption from any imposition of taxes by the Parliament of Great Britain, and the irrevocable enjoyment of every privilege consistent with that union of interests and force on which our mutual prosperity and the safety of our common religion and liberty depend. We again assert, that the members of the Congress were not authorized by their constitution, either to reject our offers

without the previous consideration and consent of the several Assemblies and Conventions of their constituents, or to refer us to pretended foreign treaties, which they know were delusively framed in the first instance, and which have never yet been ratified by the people of this continent. And we once more remind the members of the Congress, that they are responsible to their countrymen, to the world, and to God, for the continuance of this war, and for all the miseries with which it must be attended.

To the General Assemblies and Conventions of the different Colonies, Plantations, and Provinces, above-mentioned, we now separately make the offers which we originally transmitted to the Congress; and we hereby call upon and urge them to meet expressly for the purpose of considering whether every motive, political as well as moral, should not decide their resolution to embrace the occasion of cementing a free and firm coalition with Great Britain. It has not been, nor is it, our wish, to seek the objects which we are commissioned to pursue, by fomenting popular divisions and partial cabals; we think such conduct would be ill suited to the generous offers made, and unbecoming the dignity of the King and the State which makes them. But it is both our wish and our duty to encourage and support any men or bodies of men in their return of loyalty to our Sovereign, and of affection to our fellow-subjects.

To all others, free inhabitants of this once happy empire, we also address ourselves. Such of them as are actually in arms, of whatsoever rank or description, will do well to recollect, that the grievances, whether real or supposed, which led them into this rebellion, have been forever removed, and that the just occasion is arrived for their returning to the class of peaceful citizens. But

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if the honours of a military life are become their object, let them seek those honours under the banners of their rightful Sovereign, and in fighting the battles of the United British empire against our late mutual and natural enemy.

To those whose profession it is to exercise the functions of religion on this continent, it cannot surely be unknown, that the foreign power with which the Congress is endeavouring to connect them, has ever been averse to toleration, and inveterately opposed to the interests and freedom of the places of worship which they serve; and that Great Britain, from whom they are for the present separated, must, both from the principles of her Constitution, and of Protestantism, be at all times the best guardian of religious liberty, and most disposed to promote and extend it.

To all those who can estimate the blessings of peace, and its influence over agriculture, arts, and commerce, who can feel a due anxiety for the education and establishment of their children, or who can place a just value on domestic security, we think it sufficient to observe, that they are made, by their leaders, to continue involved in all the calamities of war, without having either a just object to pursue, or a subsisting grievance which may not instantly be redressed.

But if there be any persons, who, divested of mistaken resentments, and uninfluenced by selfish interests, really think that it is for the benefit of the Colonies to separate themselves from Great Britain, and that so separated they will find a Constitution more mild, more free, and better calculated for their prosperity than that which they heretofore enjoyed, and which we are empowered and disposed to renew and improve; with such persons we will not dispute a position which seems to be sufficiently contradicted by the experience they

have had. But we think it right to leave them fully aware of the charge which the maintaining such a position must make in the whole nature and future conduct of this war; more especially when to this position is added the pretended alliance with the Court of France.

The policy, as well as the benevolence of Great Britain, have thus far checked the extremes of war, when they tended to distress a people still considered as our fellow-subjects, and to desolate a country shortly to become again a source of mutual advantage: but when that country professes the unnatural design not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, how far Great Britain may, by every means in her power, destroy or render useless a connection contrived for her ruin, and for the aggrandizement of France.

Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain; and if the British Colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy.

If, however, there are any who think, that notwithstanding these reasonings, the Independence of the Colonies, will, in the result, be acknowledged by Great Britain, to them we answer, without reserve, that we neither possess or expect powers for that purpose; and that if Great Britain could ever have sunk so low as to adopt such a measure, we should not have thought ourselves compellable to be the instruments in making a concession which would, in our opinion, be calamitous to the Colonies for whom it is made, and disgraceful as well as calamitous to the country from which it is required. And we think proper to declare, that in this spirit and sentiment we have



regularly written from this Continent to Great Britain.

It will now become the Colonies in general, to call to mind their own solemn appeals to Heaven in the beginning of this contest, that they took arms only for the redress of grievances; and that it would be their wish, as well as their interest, to remain for ever connected with Great Britain. We again ask them, whether all their grievances, real or supposed, have not been amply and fully redressed; and we insist that the offers we have made leave nothing to be wished, in point either of immediate liberty or permanent security: if these offers are now rejected, we withdraw from the exercise of a Commission, with which we have in vain been honoured; the same liberality will no longer be due from Great Britain, nor can it either in justice or policy be expected from her.

In fine, and for the fuller manifestation, as well of the disposition we bear, as of the gracious and generous purposes of the Commission under which we act, we hereby declare, that *Whereas* his Majesty, in pursuance of an Act of Parliament, made and passed in the eighteenth year of his Majesty's reign, entitled, "An Act to enable his Majesty to appoint Commissioners, with sufficient powers to treat, consult, and agree, upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces of North America," having been pleased to authorize and empower us to grant a pardon or pardons to any number or description of persons within the Colonies, Plantations, and Provinces of New-Hampshire, Massachusetts-Bay, Rhode-island, Connecticut, New-York, New-Jersey, Pennsylvania, the three Lower Counties on Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia; and *Whereas* the good effects of the said authorities

and powers towards the people at large, would have long since taken place, if a due use had been made of our first communications and overtures, and have thus far been frustrated only by the precipitate Resolution of the members of the Congress not to treat with us, and by their declining to consult with their constituents; we now, in making our appeal to those constituents, and to the free inhabitants of this continent in general, have determined to give to them, what in our opinion should have been the first object of those who appeared to have taken the management of their interests; and adopt this mode of carrying the said authorities and powers into execution. *We accordingly hereby grant and proclaim a pardon or pardons of all, and all manner of, treasons or misprisions of treasons, by any person or persons, of any number or description of persons, within the said Colonies, Plantations, or Provinces, counselled, commanded, acted, or done, on or before the date of this Manifesto and Proclamation.*

And we farther declare and proclaim, that if any person or persons, or any number or description of persons, within the said Colonies, Plantations and Provinces, now actually serving either in a civil or military capacity in this rebellion, shall, at any time, during the continuance of this Manifesto and Proclamation, withdraw himself or themselves from such civil or military service, and shall continue thenceforth peaceably as a good and faithful subject or subjects to his Majesty, to demean himself or themselves, such person or persons, or such number and description of persons, shall become and be fully entitled to, and hereby obtain all the benefits of the pardon or pardons hereby granted; excepting only from the said pardon or pardons every person, and every number or description of persons, who, after the date of this Manifesto and Proclamation, shall,

shall, under the pretext or authority, as judges, jurymen, ministers, or officers of civil justices, be instrumental in executing and putting to death any of his Majesty's subjects within the said Colonies, Plantations and Provinces.

And we think proper farther to declare, that nothing herein contained is meant, or shall be construed to set at liberty any person or persons, now being a prisoner or prisoners, or who, during the continuance of this rebellion, shall become a prisoner or prisoners.

And we offer to the Colonies at large or separately, a general or separate peace, with the revival of their antient governments secured against any future infringements, and protected for ever from taxation by Great Britain.

And with respect to such further regulations, whether civil, military, or commercial, as they may wish to be framed and established, we promise all the concurrence and assistance that his Majesty's Commission authorises and enables us to give.

And we declare, that this Manifesto and Proclamation shall continue, and be in force forty days from the date thereof, that is to say, from the third day of October, to the eleventh day of November, both inclusive.

And in order that the whole contents of this Manifesto and Proclamation may be more fully known, we shall direct copies thereof, both in the English and German language, to be transmitted by flags of truce to the Congress, the General Assemblies or Conventions of the Colonies, Plantations, and Provinces, and to several persons both in civil and military capacities within the said Colonies, Plantations, and Provinces; and for the further security in times to come of the several persons or numbers, or descriptions of persons, who are or may be the objects of this Manifesto and Proclamation, we have

set our hands and seals to thirteen copies thereof, and have transmitted the same to the Thirteen Colonies, Plantations, and Provinces, above-mentioned, and we are willing to hope that the whole of this Manifesto and Proclamation will be fairly and freely published and circulated for the immediate, general, and most serious consideration and benefit of all his Majesty's subjects on this Continent. And we earnestly exhort all persons who by this instrument forthwith receive the benefit of the King's pardon, the same time that they entertain a becoming sense of those lenient and affectionate measures whereby they are now freed from grievous charges which might have risen in judgment, or have been brought in question, against them, to make a wise improvement of the situation in which this Manifesto and Proclamation places them, and not only to recollect that a perseverance in the present rebellion, or any adherence to the treasonable connection attempted to be framed with a foreign power, will, after the present grace extended, be considered as crimes of the most aggravated kind, but to vie with each other in eager and cordial endeavours to secure their own peace, and promote and establish the prosperity of their countrymen, and the general weal of the Empire.

And pursuant to his Majesty's Commission, we hereby require all officers, civil and military, and all other his Majesty's loving subjects whatsoever, to be aiding and assisting unto us in the execution of this our Manifesto and Proclamation, and of all the matters herein contained.

Given at New-York, this third day of October, 1778.

(L. S.) CARLISLE.

(L. S.) HEN. CLINTON.

(L. S.) WM. EDEN.

By their Excellencies Command,  
ADAM FERGUSON, Secretary.

*In Congress, Oct. 10.*

Whereas there is every reason to expect, that our unnatural enemies, despairing of being ever able to subdue and enslave us by open force, or persuade us to break through the solemn treaties we have entered into with our great and good ally, his Most Christian Majesty, and return to the dependance of Great Britain, will, as the last effort, ravage, burn and destroy every city and town on this Continent, they can come at.

Resolved, That it be recommended to such inhabitants of these States, as live in places exposed to the ravages of the enemy, immediately to build huts, at least thirty miles distant from their present habitations, there to convey their women, children, and others not capable of bearing arms, and themselves in case of necessity, together with their furniture, wares, and merchandize of every sort; also, that they send off all their cattle, being measures they cannot think hardships in such times of public calamity, when so many of their gallant countrymen are daily exposed to the hardships of the field, fighting in defence of their rights and liberties.

Resolved, That immediately when the enemy begin to burn or destroy any town, it be recommended to the good people of these States, to set fire, to ravage, burn and destroy the houses and properties of all Tories, and enemies to the freedom and independence of America, and secure the persons of such, so as to prevent them from assisting the enemy, always taking care, not to treat them or their families with any wanton cruelties, as we do not wish; in this particular, to copy after our enemies, or their German, negro, and copper-coloured allies.

Extract from the minutes,

CHARLES THOMSON, Sec.

*By the Congress of the United States of America.*

### M A N I F E S T O.

These United States having been driven to hostilities by the oppressive and tyrannous measures of Great Britain; having been compelled to commit the essential rights of man to the decision of arms; and having been at length forced to shake off a yoke which had grown too burthensome to bear, they declared themselves free and independent.

Confiding in the justice of their cause, confiding in Him who disposes of human events, although weak and unprovided, they set the power of their enemies at defiance.

In this confidence they have continued, through the various fortune of three bloody campaigns, unawed by the powers, unsubdued by the barbarity of their foes. Their virtuous citizens have borne, without repining, the loss of many things which made life desirable. Their brave troops have patiently endured the hardships and dangers of a situation, fruitful in both beyond example.

The Congress considering themselves bound to love their enemies, as children of that Being who is equally the Father of all, and desirous, since they could not prevent, at least to alleviate the calamities of war, have studied to spare those who were in arms against them, and to lighten the chains of captivity.

The conduct of those serving under the King of Great Britain hath, with some few exceptions, been diametrically opposite. They have laid waste the open country, burned the defenceless villages, and butchered the citizens of America. Their prisons have been the slaughter-houses of her soldiers, their ships of her seamen, and the severest injuries have been aggravated by the grossest insults.

Foiled in their vain attempt to subjugate

subjugate the unconquerable spirit of freedom, they have meanly assailed the Representatives of America with bribes, with deceit, and the servility of adulation. They have made a mock of humanity, by the wanton destruction of men: they have made a mock of religion, by impious appeals to God, whilst in the violation of his sacred commands: they have made a mock even of reason itself, by endeavouring to prove, that the liberty and happiness of America could safely be entrusted to those who have *sold their own*, unawed by the sense of virtue, or of shame.

Treated with the contempt which such conduct deserved, they have applied to individuals; they have solicited them to break the bonds of allegiance, and imbrue their souls with the blackest of crimes: but fearing that none could be found through these United States, equal to the wickedness of their purpose, to influence weak minds, they have threatened more wide devastation.

While the shadow of hope remained, that our enemies could be taught by our example to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and revere, they have been left to the influence of that religion, and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

We, therefore, the Congress of the United States of America, do SOLEMNLY DECLARE AND PROCLAIM, That if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the

rectitude of our intentions. And in his holy presence we declare, That as we are not moved by any light and hasty suggestions of anger or revenge, so through every possible change of fortune we will adhere to this our determination.

Done in Congress, by unanimous consent, the thirtieth day of October, one thousand seven hundred and seventy-eight.

Attest,

CHARLES THOMSON, Sec.

To the Earl of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq. his Britannic Majesty's Commissioners. From the Virginia Gazette.

Gentlemen,

Though it is an individual who now addresses you, be assured that it is the language of every Virginian. He cannot perhaps do service to the subject, but he is not unacquainted with the sentiments of the representatives of this State now assembled. Their voice, whenever heard, will be that of a people sore with the accumulated injuries of your nation, and determined to maintain, what is now become the only object of contest, Independence. Their voice will be that of a people determined to be free, equally uninfluenced by those professions of friendship, which they despise, and those hostile menaces of future havock, which they now no longer dread.

Your Manifesto is the last dying effort of a despairing sanguinary faction. It unfolds the pitiful situation to which you are reduced, and betrays the malignity of your hearts. Baffled in your hope of conquest, you now attempt the more dangerous weapons of dissimulation, and profess the warmest attachments to the happiness of America. But such hollow pretensions are not suited to a country where liberty has taken deep root. They may suit the hypocrite

of

of \_\_\_\_\_, but trust me, such artifices here excite only their deserved contempt. The conduct of your master, or your faction, has been one continued course of insult. When America petitioned, when she threw herself upon the generosity, the justice of your nation, nothing was heard of but unconditional submission. She was threatened with a torrent, which has vainly spent its fury. After three years of cruelty and bloodshed, after the loss of 20,000 of your best troops, and the profusion of millions, after the most generous alliance with the greatest power in Europe, when fatal experience had evinced the folly of your attempts, we are now presented with a Manifesto, which, like the first serpent, carries with it nothing but deceit, hypocrisy, and fraud. But, permit me to examine it more particularly.

You tell us in the first paragraph, that you have made the most benevolent overtures to Congress and to all North America. You have been reduced to the necessity of acknowledging that the claims which gave rise to these overtures were founded in *justice*, and therefore you made them. But can you, without feeling the guilty blush bearing witness to your shame, call these overtures benevolent, which though justice claimed, were attended at the same time with the butchery of those you degrade with the name of fellow citizens. You have offered nothing, but what you have admitted we had a right to demand. But when were they offered? At what time? And upon what principle? Was it the principle of benevolence? What! is it benevolent to ransack Germany, to drain the jails of Britain, to let loose the rebellious Scot, our faithless domestics, and savage tribes of Indians, to spread ruin and desolation through the whole continent of America? Your offers were not made; though

justice demanded them, until you saw your delusive hopes frustrated, your idol, which you have served with unremitting zeal, prostrate and fallen. Then, indeed, your overtures were made, but they served only to add fuel to that indignation which already glowed in the breast of every American.

Congress, in its turn, treated them with just contempt. Your hour of concession was gone. A higher object was at stake, and for that alone we now contend.

Yet you once more offer to concur with Congress in the re-establishment of peace, and remind them that they must be responsible to their constituents, to the world, and to God, for the continuance of this war, and all its consequent calamities. Their constituents are too wise not to know that it is in your power to put an end to the war, whenever you please. They know that you may withdraw your fleets and armies, and leave them in the peaceful enjoyment of that liberty you have so cruelly endeavoured to deprive them of. They leave it to the world, and that God to whom you so impiously appeal, to determine who are to be responsible for the continuance of the war, and its consequent calamities. Your offers include nothing but what freedom hold their unalienable right, and which it is insolent to offer. Is it the privilege of Britain to confer those rights, those gifts of Heaven? Must we receive, as the favours of an infamous tyrannic Court, what God and nature gave? Treat upon the wide basis of equality, and then peace, with an *oblivion of injuries*, may take place. You do well to remind Congress, that they must be responsible to their constituents for the continuance of this war, for, be assured, they have too much wisdom not to know that an acceptance of your offers would bring down upon their own heads the vengeance of an injured

injured people. As to God and the world, the opposition they have made must be well pleasing to the one, and matter of astonishment to the other. A new world has arisen from the chaos of tyranny and usurpation, the spirit of God has moved upon the face of this western hemisphere, has called forth liberty from amidst confusion and disorder.

But you assert that Congress was not authorised to *reject* your offers without the consent of their constituents. They might then, it is presumed, have accepted them, or you would not have desired to treat with them. But this is one of your old stale Machiavelian practices *divide et impera*. The people of America laugh at your folly, while they despise your weakness. Have you not seen that palladium of American union, that Gorgon to Britain, have you not read the confederation? There you will find that Congress alone is to determine all matters of treaty with foreign nations. Read it, but beware, least, like the hand upon the wall, it should strike you pale with horror.

You call upon the General Assemblies of the different States to consider your overtures. You cannot be ignorant of the answers which would be given, were they to consider them. Virginia has not even condescended to receive your propositions, well knowing they could contain nothing different from what you have already laid before Congress. The other States will probably treat them in a similar manner. But you profess, in the same paragraph, that it is not your design to foment popular divisions and partial cabals. It would be derogatory to the generous nature of your offers, and unbefitting the dignity of your magnanimous King. Yet strange contradiction! it is both your wish and duty, you say, to encourage and support any men, or bodies of men, in

return of loyalty to your Sovereign, and affection to your fellow-subjects. How difficult is it for the guilty to escape their own condemnation! You dispense your manifestoes, you attempt to break the chain of federal union; you think it your duty to encourage the apostate from the cause of liberty. You attempt to kindle a flame in the heart of each State, and yet you would not foment popular divisions and cabals. It is upon these popular divisions and cabals that your last forlorn hope is now placed. But, trust me, as you began in error and delusion, thus your politics must end. You have at last been consistent. But that small degree of merit serves only to precipitate your ruin.

Your next paragraph (can you bear the reputation of it) tells the free inhabitants of the American empire; that the grievances have been forever removed, which led them into this rebellion. Is this the language of conciliation? Is it not enough to insult us with the absurdity of telling us that all our grievances are removed, at a time when the horrors of the cruellest war are practised with the most persevering obstinacy, without adding the opprobrium of rebellious guilt? Why, in your former overtures to Congress, did you admit the claims of America to be just, and now brand her sons with the name of rebels? Can an opposition, founded in justice, be rebellion? A Scotch casuist might find rebellion in any opposition, unless it originated in his own country; but surely this was not a time, nor was it consistent with the office you have undertaken, to adopt such language. But, if it be rebellion, there is scarce an American but glories in the name of rebel. You invite those who prefer a military life to seek for honour under your standards. They are too much tarnished, too much fallen from their former high pinnacle of glory, to reflect honour upon their unfortunate followers.

ers. Britain may well remember the time when the sons of America nobly fought and died under her standards, but the time is now for ever gone.

To those who exercise the functions of religion on this Continent, your address is no less unmanly. It is in America alone that religion has at length gained a free and universal toleration. Europe, nay Great Britain, with its boasted freedom, groans under religious bondage. America presents you an example worthy of imitation. She knows no difference, but such as merit alone points out. The good citizen is her object, and not the sectarist. Fear not therefore for her religious liberty. The alliance with France concerns the citizen, and not the divine.

Those who most estimate the blessing of peace, of agriculture, arts, and commerce, those who can feel a due anxiety for the education of their children, are those whom you have most to dread. These are considerations which most intimately concern the interests of men. That peace which renders our commerce as unbounded as the ocean itself, can alone introduce agriculture, arts, and sciences; can alone enable us to give our sons that virtuous liberal education, which will render them the firm supporters of what their fathers have achieved; can alone present to their infant minds a pleasing recollection of their brave ancestry.

But if America will not accept of your overtures, and still perseveres in her resolutions of Independence, still confide in the *pretended alliance* of France, the benevolence of Great Britain must be checked, and war, which you say has been carried on with tenderness and compassion, must be felt in all its horrors. Thus, after three years of constant hostilities, of a war, prosecuted in a manner which has astonished all Europe, censured, condemned, and reprobated by your ablest Senators; nay, by your very

Generals, we are now told that Great Britain will no longer extend her tender mercies towards us. The horrors of war are now already felt in every cottage almost in America. Thus do you still add insult to insult. What cruelties have you not already committed? what numbers have you not brought to lingering deaths, by famine, or by disease? what jails but have disgorged hundreds of our miserable fellow-citizens? what means have been left untried to spread ruin and desolation to the utmost extent? Menaces are still left you; but, impotent and weak, you have no longer strength to discharge the venom which rankles in your hearts.

But were you able to satiate your revengeful appetites, by rioting in slaughter and desolation along our sea coasts, it would but more completely rivet our union with France. America would then be rendered more dependent on her, and other European powers, for a thousand articles which she might otherwise be willing to import from Britain. This step alone seems wanting to complete the ruin of your country. You declare, that you have neither the power nor the inclination to acknowledge our Independence. All treaties with you are of course at an end. The powers of Europe, nature itself, will soon establish it on a foundation which cannot be shaken.

Your next paragraph is still a repeated mockery of the common understanding of the whole continent. It is true we first took up arms only to gain a redress of grievances, and it is no less true that you have been reduced to the necessity of offering more than we at first desired; but the folly of your own councils has lost the favourable moment of re-union. Wounds, which time can never efface, have for ever separated us. What confidence could we repose in a people who have thirsted after our blood, and sought our utter ruin?

What

What madness, what pusillanimity, could dictate a re-union with a people from whom such unheard of calamities have been derived? What treachery could abandon an alliance which ensures independence, security, and peace.

But you are graciously pleased to offer your pardons once more to the unfortunate rebel. Can you then suppose America, or even a single American but must deride and condemn such vain insulting proffers? It would be happy for Britain indeed, if America would extend her pardons to her? It might be happy for one of her Commissioners, if the world would pardon him, But for America, she glories in the cause she is engaged in, and future generations will confess, that the annals of mankind cannot present an epocha more illustrious for true patriotism, for those virtues which dignify and ennoble man.

Your Proclamation will soon expire, and leave you the mortification to find that America is not only able to withstand your arms, but your artifices. You may return and find some consolation in the smiles of departed ———. The East Indies may engage you another lucrative commission. You may turn your eyes with regret from the rising grandeur of America to the miserable catastrophe which awaits your own nation. You may behold your present ——— as the fatal negative instruction to his ——— for ever.

*Extract from the Trial of Major-general LEE.*

Major-general Lord STIRLING, President.

Brigadier-generals, SMALLWOOD, POOR, WOODFORD, and HUNTINGDON. Colonels, IRVINE, SHERBURN, SWIFT, WIGGELSWORTH, ANGEL, CLARKE, WILLIAMS, FEBIGER, Members.

JOHN LAWRENCE, Judge Advocate.  
VOL. VII.

*Brunswick, July 4, 1778.*

The Judge Advocate produces the General's orders (Washington) for the Court to sit. The President, Members, and Judge Advocate, being sworn, the Judge Advocate prosecuting in the name of the United States of America, the Court proceeds to the trial of Major-general Lee, who appears before the Court, and the following charges are exhibited against him: first, for disobedience of orders, in not attacking the enemy on the 28th of June, agreeable to repeated instructions. Secondly, for misbehaviour before the enemy on the same day, by making an unnecessary, disorderly, and shameful retreat. Thirdly, for disrespect to the Commander in Chief, in two letters, dated the 1st of July, and the 28th of June.

Major-general Lee pleads, *not guilty.*

[The letters on which the third charge is founded, are as follow:]

*Camp, English-town, July 1, 1778.*

Sir,

From the knowledge I have of your Excellency's character, I must conclude, that nothing but the misinformation of some very stupid, or misrepresentation of some very wicked person, could have occasioned your making use of so very singular expressions as you did, on my coming up to the ground where you had taken post: they implied, that I was guilty either of disobedience of orders, of want of conduct, or want of courage: your Excellency will therefore infinitely oblige me, by letting me know on which of these three articles you ground your charge, that I may prepare for my justification, which I have the happiness to be confident I can do to the army, to the Congress, to America, and to the world in general. Your Excellency must give me leave to observe, that neither yourself, nor those about your person, could, from your situation, be in the least



least judges of the merits or demerits of our manœuvres, and, to speak with a becoming pride, can assert, that to these manœuvres, the success of the day was entirely owing: I can boldly say, that had we remained on the first ground, or had we advanced, or had the retreat been conducted in a manner different from what it was, the whole army and the interests of America would have risked being sacrificed. I ever had (and I hope ever shall have) the greatest respect and veneration for General Washington: I think him endued with many great and good qualities; but in this instance, I must pronounce, that he has been guilty of an act of cruel injustice towards a man, who certainly has some pretensions to the regard of every servant of this country; and, I think, Sir, I have a right to demand some reparation for the injury committed; and unless I can obtain it, I must, in justice to myself, when the campaign is closed, (which I believe will close the war) retire from a service, at the head of which is placed a man, capable of offering such injuries; but, at the same time, in justice to you, I must repeat, that I, from my soul, believe it was not a motion of your own breast, but instigated by some of those *dirty ear-wigs*, who will for ever insinuate themselves near persons in high office; for I am really convinced, that when General Washington acts for himself, no man in his army will have reason to complain of injustice or indecorum.

I am, Sir, and hope I ever shall have reason to continue, your most sincerely and devoted servant,

CHARLES LEE.

*His Excellency General Washington.*

*Head-quarters, English-town, June 28,  
1778.*

Sir,

I received your letter (dated through mistake the first of July) ex-

pressed, as I conceive, in terms highly improper; I am not conscious of having made use of any very singular expression at the time of my meeting you, as you intimate. What I recollect to have said, was dictated by duty, and warranted by the occasion. As soon as circumstances will permit, you shall have an opportunity either of justifying yourself to the army, to Congress, to America, and to the world in general; or of convincing them, that you are guilty of a breach of orders, and of misbehaviour before the enemy on the 28th inst. in not attacking them as you had been directed, and in making an unnecessary, disorderly, and shameful retreat.

I am, Sir, your most obedient servant,

GEORGE WASHINGTON.

Sir, *Camp, June 28, 1778.*

Since I had the honour of addressing my letter, by Colonel Fitzgerald, to your Excellency, I have reflected on both your situation and mine, and beg leave to observe, that it will be for our mutual convenience, that a court of enquiry might be immediately ordered; but I could wish it should be a court-martial; for if the affair is drawn into length, it may be difficult to collect the necessary evidences, and perhaps might bring on a paper war betwixt the adherents to both parties, which may occasion some disagreeable feuds on the Continent, for all are not my friends, nor all your admirers. I must entreat, therefore, for your love of justice, that you will immediately exhibit your charge, and that on the first halt I may be brought to a trial, and am, Sir, your most obedient humble servant,

CHARLES LEE.

*His Excellency General Washington.*

The Court sat by several adjournments till the 12th of August.

\* The Court having considered the first charge against Major-general Lee

Lee, the evidence and his defence, are of opinion, that he is guilty of disobedience of orders, in not attacking the enemy on the 28th of June, agreeable to repeated instructions; being a breach of the latter part of article 5, section 2; of the articles of war.

The court having considered the second charge against Major-general Lee, the evidence and his defence, are of opinion he is guilty of misbehaviour before the enemy on the 28th of June, by making an unnecessary, and in some few instances a disorderly retreat, being a breach of the 13th article of the 13th section of the articles of war.

The Court having considered the third charge against Major-general Lee, are of opinion, that he is guilty of disrespect to the Commander in Chief, in two letters dated the 1st of July and 28th of June, being a breach of the 2d article, 2d section, of the articles of war.

The Court do sentence Major-general Lee to be suspended from any command in the armies of the United States of North-America, for the term of twelve months.

STIRLING,  
M. G. and President.

The Court adjourn *sine die*.

STATE of MASSACHUSETT'S BAY,  
In the year of our Lord one thousand seven hundred and seventy-eight.

*An Act to prevent the return to this State of certain persons therein named, and others, who have left this State, or either of the United States, and joined the enemies thereof.*

Whereas Thomas Hutchinson, Esq. late Governor of this State, Francis Bernard, Esq. formerly Governor of this State, Thomas Oliver, Esq. late Lieutenant-governor of this State, Timothy Ruggles, of Hardwick, in the county of Worcester, Esq. Wil-

liam Apthorp, merchant; Gibbs Atkins, cabinet-maker, John Atkinson, John Amory, James Anderson, Thomas Apthorp, David Black, William Burton, William Bowes, George Brindley, Robert Blair, Thomas Brindley, James Barrick, merchants, Thomas Brattle, Esq. Sampson Salter Blowers, Esq. James Bruce, Ebenezer Bridgham, Alexander Brymer, Edward Berry, merchants, William Burch, late Commissioner of the Customs, Esq. Mather Byles, jun. clerk, William Codner, book-keeper, Edward Cox, merchant, Andrew Cazeau, Esq. barrister at law, Henry Canner, clerk, Thomas Courtney, taylor, Richard Clark, Esq. Isaac Clark, physician, Benjamin Church, physician, John Coffin, distiller, John Clark, physician; William Coffin, Esq. Jonathan Clark, merchant, Archibald Cunningham, shop keeper, Gilbert Deblois, merchant, Lewis Deblois, merchant, Philip Dumare, Esq. merchant, Benjamin Davis, merchant, John Erving, jun. Esq. George Erving, Esq. Edward Foster, and Edward Foster, jun. blacksmiths, Benjamin Faneuil, jun. merchant, Thomas Flucker, Esq. late Secretary for Massachusetts-Bay, Samuel Fitch, Esq. Wilfred Fisher, carter, James Forrest, merchant, Lewis Gray, merchant, Francis Green, merchant, Joseph Green, Esq. Silvester Gardiner, Esq. Harrison Gray, Esq. late Treasurer of Massachusetts-Bay, Harrison Gray, jun. clerk to the Treasurer, Joseph Goldthwait, Esq. Martin Gray, founder, John Gore, Esq. Benjamin Hallowell, Esq. Robert Hollowell, Esq. Thomas Hutchinson, jun. Esq. Benjamin Gridley, Esq. Frederick William Geyer, merchant, John Greenlaw, shopkeeper, David Green, merchant, Elisha Hutchinson, Esq. James Hall, mariner, Foster Hutchinson, Esq. Benjamin Mulbury Holmes, distiller, Samuel Hodges, book-keeper, Henry Hulton, Esq. Hawes Hatch, wharfinger, John Joy, housewright,

housewright, Nathaniel Coffin, Esq. Peter Johnnot, distiller, William Jackson, merchant, John Jefferies, physician, Henry Laughton, merchant, James Henderson, trader, John Hinston, yeoman, Christopher Hatch, mariner, Robert Jarvis, mariner, Richard Lechmere, Esq. Edward Lyde, merchant, Henry Lloyd, Esq. George Leonard, miller, Henry Leddle, book-keeper, Archibald McNeal, baker, Christopher Minor, tide waiter, John Murry, Esq. William McAlpine, book-binder, Thomas Mitchell, mariner, William Martin, Esq. John Knutson, tallow-chandler, Thomas Knight, shop-keeper, Samuel Prince, merchant, Adino Paddock, Esq. Charles Paxton, Esq. Sir William Pepperell, baronet, John Powell, Esq. William Lee Perkins, physician, Nathaniel Perkins, Esq. Samuel Quincy, Esq. Owen Richards, tide waiter, Samuel Rogers, merchant, Jonathan Simpson, Esq. George Spooner, merchant, Edward Stowe, mariner, Richard Smith, merchant, Jonathan Snelling, Esq. Daniel Silsby, trader, Samuel Sewell, Esq. Abraham Savage, tax-gatherer, Joseph Scott, Esq. Francis Skinner, clerk to the late Council, William Simpson, merchant, Richard Sherwin, saddler, Henry Smith, merchant, John Semple, merchant, Thomas Selkridge, merchant, James Selkridge, merchant, Robert Service, trader, Simon Tufts, trader, Arodi Thayer, late Martial to the Admiralty-court, Nathaniel Taylor, deputy naval officer, John Troutbeck, clerk, Gregory Townsend, Esq. William Taylor, merchant, William Vassal, Esq. Joseph Taylor, merchant, Joshua Upham, Esq. William Walter, clerk, Samuel Waterhouse, merchant, Isaac Winslow, merchant, John Winslow, merchant, John Winslow, jun. merchant, David Willis, mariner, Obadiah Whiston, blacksmith, Archibald Wilson, trader, John White, mariner, Robert Sem-

ple, merchant William Warden, poruke maker, Nathaniel Mills, John Hicks, John How, and John Fleming, printers, all of Boston, in the county of Suffolk, Robert Auchmuty, Esq. Joshua Loring, Esq. both of Roxbury, in the same county, Samuel Goldsbury, yeoman, of Wrentham, in the county of Suffolk, Joshua Loring, jun. merchant, Nathaniel Hatch, Esq. both of Dorchester, in the same county, William Brown, Esq. Benjamin Pickman, Esq. Samuel Porter, Esq. John Sargeant, trader, all of Salem, in the county of Essex, Richard Saltonstall, Esq. of Haverhill, in the same county, Thomas Roby, trader, Benjamin Marston, merchant, both of Marblehead, in said county of Essex, Moses Badger, clerk, of Haverhill, aforesaid, Jonathan Sewall, Esq. John Vassal, Esq. David Phipps, Esq. John Nutting, carpenter, all of Cambridge, in the county of Middlesex, Isaac Royall, Esq. of Medford, in the same county, Henry Barnes, of Marbleborough, in said county of Middlesex, merchant, Jeremiah Danmer Rogers, of Littleton, in the same county, Esq. Daniel Bliss, of Concord, in the said county of Middlesex, Esq. Charles Russell, of Lincoln, in the same county, physician, Joseph Adams, of Townsend, in said county of Middlesex, physician, Thomas Danforth, of Charlestown, in said county, Esq. Joshua Smith, trader, of Townsend, in said county, Joseph Ashlay, jun. gentlemen, of Sunderland, Nathaniel Dickinson, gentlemen, of Deerfield, Samuel Bliss, shop-keeper, of Greenfield, Roger Dickinson, yeoman, Josiah Pomeroy, physician, and Thomas Custer, gentleman, of Hatfield, Jonathan Bliss, Esq. of Springfield, William Galway, yeoman, of Conway, Elijah Williams, attorney at law, of Deerfield, James Oliver, gentleman, of Conway, all in the county of Hampshire, Pesham Winslow, Esq. Cornelius

nobias White, mariner, Edward Winslow, jun. Esq. all of Plymouth, in the county of Plymouth, Peter Oliver, Esq. Peter Oliver, jun. physician, both of Middleborough, in the same county, Josiah Edson, Esq. of Bridgewater, in the said county of Plymouth, Lieutenant Daniel Dunbar, of Halifax, in the same county, Charles Curtis, of Scituate, in said county of Plymouth, gentleman, Nathaniel Ray Thomas, Esq. Israel Tilden, Caleb Carver, Seth Bryant, Benjamin Walker, Gideon Walker, Zere Walker, Adam Hall, tert. Isaac Joice, Joseph Phillips, Daniel White, jun. Cornelius White, tert. Malgar Carver, Luke Hall, Thomas Decrow, John Baker, jun. all of Marshfield, in the said county of Plymouth, Gideon White, jun. Daniel Leonard, Esq. Seth Williams, jun. gentleman, Solomon Smith, boatman, all of Taunton, in the county of Bristol, Thomas Gilbert, Esq. Perez Gilbert, Ebenezer Hathaway, jun. Lott Strange, the third, Zebedee Terree, Bradford Gilbert, all of Freetown, in the same county, Joshua Broomer, Shadrack Hathaway, Calvin Hathaway, Luther Hathaway, Henry Fiddell, William Burden, Levi Chace, Shadrack Chace, Richard Holland, Ebenezer Phillips, Samuel Gilbert, gentleman, Thomas Gilbert, yeoman, both of Berkley, in the said county of Bristol, Ammi Chace, Caleb Wheaton, Joshua Wilborne, Lemuel Bourn, gentleman, Thomas Perry, yeoman, David Atkins, labourer, Samuel Perry mariner, Stephen Perry, labourer, John Backwell, jun. labourer, Francis Finny, labourer, and Nehemiah Webb, mariner, all of Sandwich, in the county of Barnstable, Elisha Trupper, of Dartmouth, in the county of Bristol, labourer, Silas Perry, labourer, Seth Perry, mariner, Elish Bourn, gentleman, Thomas Bumbus, yeoman, Ephraim Ellis, jun. yeoman, Edward Bourn, gentleman, Nicholas Cobb, labourer, William Bourn, cordwainer, all of Sandwich, in the county of Barnstable, and Seth Bangs, of Harwich, in the county of Barnstable, mariner, John Chandler, Esq. James Putnam, Esq. Rufus Chandler, gentleman, William Paine, physician, Adam Walker, blacksmith, William Chandless, gentleman, all of Worcester, in the county of Worcester, John Walker, gentleman, David Bath, yeoman, both of Shrewsbury, in the same county, Abijah Willard, Esq. Abel Willard, Esq. Joseph House, yeoman, all of Lancaster, in the said county of Worcester, Ebenezer Cutler, trader, James Bager, yeoman, both of Northborough, in the same county, Daniel Oliver, Esq. Richard Ruggles, yeoman, Gardner Chandler, trader, Joseph Ruggles, gentleman, Nathaniel Ruggles, yeoman, all of Hardwick, in the said county of Worcester, John Ruggles, yeoman, of said Hardwick, John Eager, yeoman, Ebenezer Whipple, Israel Conkay, John Murray, Esq. of Rutland, in said county of Worcester, Daniel Murray, gentleman, Samuel Murray, gentleman, Michael Martin, trader of Brookfield, in the said county of Worcester, Thomas Heaman, gentleman, of Petersham, in the same county, Nathaniel Chandler, gentleman, John Bowen, gentleman, of Princetown, in the said county of Worcester, James Crage, gentleman, of Oakham, in the same county, Thomas Mullins, blacksmith, of Leominster, in the said county of Worcester, Francis Waldo, Esq. Arthur Savage, Esq. Jeremiah Pote, mariner, Thomas Ross, mariner, James Wildridge, mariner, George Lyde, custom house officer, Robert Pagan, merchant, Thomas Wyer, mariner, Thomas Coulton, merchant, John Witwalk, clerk, Joshua Eldridge, mariner, Thomas Oxnard, merchant, Edward Oxnard, merchant, William Tyng, Esq. John Wright, merchant, Samuel

Samuel Longfellow, mariner, all of Pالمouth, in the county of Cumberland, Charles Callahan, of Pormalborough, in the county of Lincoln, mariner, Jonas Jones, of East Hoosuck, in the county of Berkshire, David Ingerfoll, of Great Barrington, in the same county, Esq. Jonathan Prindall, Benjamin Noble, Francis Noble, Elisha Jones, of Pittsfield, in the said county of Berkshire, yeoman, John Graves, yeoman, Daniel Brewer, yeoman, both of Pittsfield aforesaid, Richard Square, of Lanesborough, in the said county of Berkshire, Ephraim Jones, of East Hoosuck, in the same county, Lewis Hubbel, and many other persons, have left this State, or some other of the United States of America, and joined the enemies thereof, and of the United States of America; thereby not only depriving these States of their personal services, at a time when they ought to have afforded their utmost aid in defending the said States, against the invasions of a cruel enemy, but manifesting an inimical disposition to the said States, and a design to aid and abet the enemies thereof in their wicked purposes: and whereas many dangers may accrue to this State, and the United States, if such persons should be again admitted into this State:

Be it therefore enacted, by the Council and House of Representatives, in General Court assembled, and by the authority of the same, That if the said Thomas Hutchinson, Francis Bernard, &c. &c. or any other person, though not specially named in this Act, who have left this State, or either of said States, and joined the enemies thereof as aforesaid, shall, after the passing this Act, voluntarily return to this State, it shall be the duty of the Sheriff of this county, and of the Selectmen, Committees of Correspondence, Safety, and Inspection, Grand Juries, Constables, and Tythingmen, and other

inhabitants of the town wherein such person or persons may presume to come, and they are hereby respectively empowered and directed forthwith to apprehend and carry such person or persons before some Justice of the peace within the county, who is hereby required to commit him or them to the common goal within the county, there, in close custody, to remain until he shall be sent out of the State, as is hereinafter directed: and such Justice is hereby directed to give immediate information thereof to the Board of War of this State: and the said Board of War are hereby empowered and directed to cause such person or persons, so committed, to be transported to some part or place within the dominions, or in the possession of the forces of the King of Great Britain, as soon as may be, after receiving such information, those who are able, at their own expence, and others at the expence of the State; and for this purpose to hire a vessel or vessels, if need be.

*And be it further enacted by the authority aforesaid,* That if any person or persons, who shall be transported as aforesaid, shall voluntarily return to this State, without liberty first had and obtained from the General Court, he shall, on conviction thereof, before the Superior Court of Judicature, Court of Assize, and General Goal Delivery, suffer the pains of death, without benefit of clergy.

*And be it enacted by the authority aforesaid,* That if the master of any ship or vessel shall, after the passing of this Act, knowingly bring into any port within this State, any of the persons above named; or if any person shall wilfully or willingly harbour or conceal any of the persons above named or described, after their return to this State, contrary to the design of this Act, such master or person, so offending, shall, on conviction thereof, before the Superior Court

Court of Common Pleas, in the county where the offence shall be committed, or before the Superior Court of Judicature, forfeit the sum of five hundred pounds, one half thereof to the use of this State, and the other half to the use of him or them who shall sue for the same.

*And be it further enacted by the authority aforesaid,* That the President of the Council be, and he is hereby requested to write to the several Legislative Assemblies in the United States, inclosing a copy of this Act, and desiring them to transmit to this Assembly a list of the names of all persons who have left their respective States, and joined the enemies of the United States, in order that such persons may be prevented from residing in this State.

And the Secretary is directed to cause this Act to be published in the several Boston news-papers, and also in hand-bills, and transmit five hundred copies thereof to the Ministers of the United States, of the Court of France, as soon as may be, who are desired to cause the same to be made public, as soon as may be, after they shall have received the same, that so the persons, named and described herein, may be deterred from attempting to come within this State.

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ACT of the STATE of VIRGINIA.  
*An Act for sequestering British property, enabling those indebted to British subjects to pay off such debts, and directing the proceedings in suits when such subjects are parties.*  
 1778.

Whereas divers persons, subjects of Great Britain, had during our connexion with that kingdom, acquired estates, real and personal, within this Commonwealth, and had also become entitled to debts to a considerable amount, and some of them had commenced suits for the recovery of such debts before the present troubles had

interrupted the administration of justice, which suits were at that time depending and undetermined; and such estates being acquired, and debts incurred, under the sanction of the laws and of the connection then subsisting, and it not being known that their Sovereign hath as yet set the example of confiscating debts and estates under the like circumstances, the public faith, and the law and usages of nations, require that they should not be confiscated on our part, but the safety of the United States demands, and the same law and usages of nations will justify, that we should not strengthen the hands of our enemies during the continuance of the present war, by remitting to them the profits or proceeds of such estate, or the interest or principal of such debts.

Be it therefore enacted by the General Assembly, that the lands, slaves, stocks, and implements thereunto belonging, within this Commonwealth, together with the crops now on hand, or hereafter to accrue, and all other estate, of whatever nature, not herein otherwise provided for, of the property of any British subject, shall be sequestered into the hands of Commissioners to be appointed from time to time by the Governor and Council for each particular estate, which Commissioners shall have power, by suits or actions to be brought in the names of the proprietor, to receive and recover all sums of money hereafter to become due to the said proprietors of such estates; to direct by agents, stewards, or overseers, the management of the said estates to the best advantage, to provide out of the monies so received and recovered, and the crops and profits now on hand, or hereafter accruing, for the maintenance, charges, taxes, and other current expences of such estates, in the first place, and the residue to carry into the loan office of this Commonwealth, and

and to take out certificates for the same from the said office, in the name of the proprietor of such estate, which certificates shall be delivered in to the Governor and Council, before whom also a fair account, on oath, of the receipts and disbursements for the said estate, shall be annually laid, and if wrong, shall be subject at their instance to be revised and adjusted, in the name of the proprietors; and all balances due thereon from the said Commissioners, to be recovered in a court of justice, according to the ordinary forms of the law; and such balances, so recovered, to be placed in like manner in the said loan office. And the Governor and Council shall once in every year lay before the General Assembly an account of the said certificates put into their hands, specifying the names of the owners, and shall see to the safe keeping of the same, subject to the future direction of the legislature. And where any such estate is holden in joint tenancy, tenancy in common, or of any other undivided interest with any citizen of this Commonwealth, it shall be lawful for such citizen to proceed to obtain partition by such action, suit, or process, to be instituted in the General Court or High Court of Chancery, as is allowed to be had against a citizen in the like case; and service of process in any such suit on the Commissioners appointed for such estate, and orders, judgments, and decrees thereon, to be rendered, shall be to all intents and purposes, as valid and effectual as if the party himself had appeared in defence: saving nevertheless to such defendant, if the partition be unequal, such redress as shall be hereafter allowed him by the legislature against the party plaintiff, his heirs, executors, or administrators, and against the lands themselves allotted to the plaintiff on such unequal partition, and not sold to any person for a valuable

consideration actually and bona fide paid, or agreed to be paid; but all lands so sold after partition shall be absolutely confirmed to the purchaser, and all claiming under him, according to the terms of his purchase, in like manner as if the vender had held an indefeasible estate therein. And the said Commissioners shall use their best skill and endeavours to obtain a fair and equal partition for their principal, for which purpose they may employ necessary agents and council at his expence; and for this, and all other their trouble and expences, such allowance shall be made them out of the profits of the estate as to the Governor and Council shall seem reasonable.

And be it further enacted, that it shall and may be lawful for any citizen of this Commonwealth, owing money to a subject of Great Britain, to pay the same, or any part thereof, from time to time, as he shall think fit, into the said loan office, taking thereout a certificate for the same in the name of the creditor, with an endorsement under the hand of the Commissioner of the said office, expressing the name of the payer, and shall deliver such certificate to the Governor and Council whose receipt shall discharge him from so much of the debt. And the Governor and Council shall in like manner lay before the General Assembly once in every year an account of these certificates, specifying the names of the persons by and for whom they were paid, and shall see to the safe keeping of the same, subject to the future direction of the legislature.

Provided, that the Governor and Council may make such allowance as they shall think reasonable, out of the said profits and interest arising on money so paid into the loan office, to the wives and children residing in this State, of such proprietors or creditors.

And be it further enacted, that all suits

suits which were depending in any court of law or equity within this Commonwealth on the 12th day of April, in the year of our Lord one thousand seven hundred and seventy-four, wherein British subjects alone are plaintiffs, and any citizen of this Commonwealth is a defendant, shall stand continued (unless abated by the death of either party) in the same state in which they were at that time; and where citizens and British subjects are joint plaintiffs against a citizen, the Court may proceed to trial and judgment, but execution as to so much of any debt sued for and recovered in such action, as will accrue to such British subject, shall be suspended till farther direction of the legislature. And in all such suits wherein any citizen of this Commonwealth is a plaintiff, and any subject of Great Britain is a defendant, the Court may proceed to trial, judgment, and execution, saving to the defendant such benefit of re-hearing, or new trial, as shall be hereafter allowed by the legislature.

*Boston, Sept. 17.* By the latest advice, it seems, the British fleet and army are preparing to move to the Northward, with a view to destroy the French fleet, and repossess themselves of Boston. Count D'Estaing, we understand, is prepared for them, as he has thrown up such works on the islands, at the entrance of the harbour, as to render it impossible for the whole navy of England to enter; and we hear a number of brigades are detached from the grand army, and upon their march for these parts, and every precaution has and will be taken for our defence by land.

Our inveterate enemies, since destroying a great part of the town of Bedford, have been employed in ravaging and destroying upon the South shore; particularly at Home's and Woon's Hale, where they burnt and carried off several vessels.

Vol. VII.

*Fish-kill, Sept. 10.* Accounts from New York by deserters, as well as persons come out of the city in exchange, say, that the enemy, by appearance, are preparing to leave the city, their heavy cannon and artillery being embarked.—They are selling off the firewood, salt, &c. which was stored for public use; all the flour is delivered to the bakers to be made into biscuit. Governor Tryon was returned with some thousand head of cattle from the east end of Long-Island, and they were killing and salting them up.

Last evening we were informed that the enemy's whole army had marched from New-York to Kingsbridge, as if they meant by this move to give General Washington battle.

*New-York, Sept. 17.* Yesterday morning arrived here his Excellency the Hon. John Byron, Esq. Vice-admiral of the Blue, in his Majesty's ship Princess Royal, of ninety guns, with the Culloden, Capt. Balfour, of seventy-four.

Same day arrived here from Halifax his Majesty's armed sloop Howe, commanded by Lieutenant Fauson, which place she left on Monday se'ennight. By her we learn, that the fortifications at that port are put in a most respectable state of defence, a great number of guns being added to the batteries on George's Island, Point Pleasant, &c. and the fortifications around the town are greatly enlarged and strengthened: the garrison is reinforced by the 70th regiment, commanded by Lieutenant-colonel Bruce, the Duke of Hamilton's regiment, consisting of one thousand men, commanded by Brigadier-general M'Lean, and the Duke of Argyle's highlanders, consisting of eleven hundred, commanded by Colonel Campbell. These troops make a very fine appearance, are healthy, and replete with ardour and spirit for the service. The Howe, on her passage, touched at Newport, and while there, a fleet of about thirty

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fail



fail arrived from Martha's Vineyard, laden with horses, horned cattle, sheep, hogs, &c.

*Extract of a letter from New-York, dated the 26th of September.*

“ On Monday and Friday last a considerable body of forces, infantry, and horse, crossed over from this and Long-Island to the Jerseys, amounting to 7000 men. A large body marched out at the same time from King-bridge; Clinton himself is gone with the former, and Knyphausen in command of the latter. Washington's army have marched from White Plains in two detachments. Where he is gone, or what is the intention of our expeditions, is not yet known; they have had a small skirmish already in the Jerseys, at a bridge near a town called Hackensack, which the Americans were attempting to destroy; but our people killed several of them, and sent in here near thirty prisoners.

There are thirty transports under orders for the West-Indies. They are to carry two brigades, or eight regiments. So small a force can only act on the defensive.”

*London, Nov. 14.* All the hopes with which our Administration have been lately amusing themselves, of the French fleet not being able to get a sufficient quantity of provisions at Boston, are now at an end, as Monsieur D'Estaing has received a most ample supply; and that too presented to him in the handsomest manner by our Government themselves. In August last a fleet of victuallers, consisting of thirteen sail, for our army and navy at New-York, was dispatched from Cork without one single man of war with them for convoy; in consequence of which certain advices are come, that seven of the number were all taken together by three American privateers, and carried into Boston; and as nothing at all has been heard of

the remaining six ships, it is taken for granted that they are, likewise, fallen into the hands of the enemy. This supply will compleatly victual D'Estaing's fleet for twelve months; and our own navy and army will feel the loss in the greatest degree, as no more provisions now can be sent to them until next spring. Mean while the ship owners are amply satisfied for the capture of their vessels; the contractor gets double profit by furnishing the provisions over again; the Ministry care not what happens, so they keep their places, and the nation continues fast asleep.

*Admiralty-Office, Nov. 14, 1778.*

Extracts of dispatches from Vice-admiral Montagu, Commander in Chief of his Majesty ships and vessels at Newfoundland, to Mr. Stephens, received by the Hawke sloop, lately arrived from that island at Spithead.

*Extract of a letter from Vice-admiral MONTAGU to Mr. STEPHENS, dated at St John's, Newfoundland, Oct. 5, 1778.*

For the information of my Lords Commissioners of the Admiralty, I beg to acquaint you, that as soon as I received certain intelligence that hostilities were commenced by Count D'Estaing in North America, I dispatched Commodore Evans in the Romney, with the Pallas, Surprise, Martin, and Bonavista armed sloop, under his command, with two field-pieces, a party of artillery, and two hundred marines under the command of Major Wemyss, to put in execution his Majesty's commands to me (under his sign manual) to attack, reduce, and take possession of the islands of St. Pierre and Miquelon; which service, I have the honour to acquaint their Lordships, he has performed; and enclosed I transmit you a copy of the Commodore's letter to me of the 17th ult. since which I have not heard from him, owing to the very thick fogs and

and easterly winds, which have prevailed these three weeks past. As soon as I can get a particular account from the Commodore, I will dispatch the Hawke with it.

Captain Linzee, of the Surprize, returned from the coast of Labrador on the 9th ult. He was too late on the coast for the privateer he went after, but on his way back took a schooner privateer of ten three-pounders, eight swivels, and forty men, in Trinity Bay, called the Harlequin, belonging to Salem, which I have bought into the service.

*Extract of a letter from Commodore EVANS to Vice-admiral MONTAGU, dated St. Peter's Road, Sept. 17, 1778.*

I arrived here the 14th instant, with his Majesty's ships under my command, and immediately sent Captain Montagu to the Governor, to acquaint him, that as the French had committed hostilities in America, I came here to demand a surrender of the island of St. Peter's, Miquelon, and its dependencies, to his Britannic Majesty, and demanded an answer in half an hour.

The Governor sent the inclosed proposals, to which I returned the answer also inclosed, and sent Captain King of the Pallas, and Major Wemyss, with 117 marines and a party of artillery, to take possession of the place, which was immediately delivered up to them.

I have not yet been able to get an exact return of the arms and ammunition in the islands; but the number of inhabitants is said to be about 3000, the greater part of them capable of bearing arms.

I have dispatched the Bonavista sloop to Halifax, agreeable to your order, to desire a number of transports may be sent here to carry the inhabitants to France, there being here only two brigs, one snow, and a few small schooners; and the

scarcity of provisions in the islands will not admit of victualling properly even the few inhabitants they can contain, neither are there any water casks here fit to hold water in: however, I propose, to send away the Governor, his Council, troops, and principal inhabitants, in the vessels that are here, as soon as possible; but to accomplish that will require more time than was expected.

I shall destroy all the fishing-stages, storehouses, and shallops, and the houses in the town, as the inhabitants embark from them.

I shall send Captain Chamberlayne, of his Majesty's sloop Martin, to Miquelon to-night, if the wind will permit, to send round the civil and military officers to be embarked with the Governor for France, when a vessel can be got ready.

*Copy of a letter from the Baron DE L'ESPERANCE to Commodore EVANS, dated at St. Peter's, Sept. 14, 1778.*

It is with the greatest surprize I have received from you a summons to deliver up this Government into the possession of his Britannic Majesty, not having received advice of a declaration of war between the two nations from my Court. The formidable force you have brought with you, knowing I had it not in my power to oppose it, obliges me to condescend to your summons, on condition, that myself and the small garrison shall quit with all the honours of war, as the officer who brought your orders has promised.

I flatter myself I may expect from your generosity every thing that is in your power to grant to the unfortunate inhabitants under my care.

In consequence of which, Sir, I demand, first, that all the attention in your power may be paid to the officers in the civil and military departments in my government: secondly, that the inhabitants shall take away their effects from their houses,

houses, and also their fish; and that they shall be sent to France in a sufficient number of transports, that there may be no risk of their perishing before their arrival. Thirdly, that we shall enjoy the exercise of our religion during our stay in the Colony. Fourthly, that the small number of vessels in these islands shall remain the property of their respective proprietors. Lastly, Sir, I expect you will take care to place proper guards to prevent any insults to my people. In proof of my condescension to your demand, I send you three hostages, viz. Monf. D'Angeac de la Loge, Second Captain of the troops, Bertrin, officer of the Government, and Des Roches, a principal inhabitant.

Nothing but the appearance of such a squadron could have obliged me to consent to your summons, which I do in order to spare the blood of my Colonists, not fearing for myself, had I only the feelings as an officer to consult.

P. S. I dare hope that you will grant every thing I ask, and send an answer.

*Copy of a Letter from Commodore EVANS, to the Baron DE L'ESPERANCE, dated St. John's Road, the 15th Sept. 1778.*

In answer to your letter of yesterday, by the officer whom I sent to you, to summon you to surrender the islands of St. Pierre and Miquelon, to his Britannic Majesty, which you have thought proper to do, under particular articles; agreeable to your request, the troops shall be permitted to march out of the town with all the honours of war; the officers, civil and military, and the other inhabitants of the town, may remain in their respective houses, 'till an opportunity offers of sending them to France.

There will be no interruption in the exercise of their religion, and care shall be taken that no insults be given them.

In consideration of my granting

you these terms, you shall upon your honour give a true and faithful account of the number of inhabitants, distinguishing their sexes, with an account of all the ordnance, arms, ammunition, and all other warlike stores; together with the number of vessels, fishing-boats, fish, oil, and other merchandize, that are in the said islands; all which shall be delivered up to such officers as I may think proper to appoint to receive them, and to be disposed of in such manner as I shall think proper. And the inhabitants may be assured of all the indulgence it may be in my power to grant them, during their stay on these islands. I shall land a detachment of troops on the island, when the officer returns, who is charged with this letter, and the hostages will be delivered up as soon as English colours will be hoisted at St. Peter's.

*Extract of a Letter from Vice-Admiral MONTAGU, to Mr. STEPHENS, dated St. John's, Oct. 16, 1778.*

By his Majesty's ship *Guadalupe*, that sailed from hence the 7th instant, I did myself the honour to write to you by way of Lisbon, and enclosed you a copy of Commodore Evans's letter to me from St. Pierre's, of the 17th of September, with copies of what had passed between him and the Governor of that island, to that time. Duplicates of which I transmitted the 8th instant, by a merchant vessel bound to Ireland.

On the 11th instant, the Commodore arrived here in his Majesty's ship *Romney*, (not thinking it prudent to remain any longer with so large a ship, in that road, so late in the season) and brought with him his Majesty's ship *Pallas*, a French letter of marque of 400 tons, and a snow, both from Bourdeaux, loaded with provisions for St. Pierre's and Miquelon. They both went into St. Pierre's Road, after the place had surrendered.

I am now to inform you, that the Commodore has (in the vessels he found at St. Pierre's) embarked the Governor

Governor and his suite, with the troops, and all the principal inhabitants, women and children, amounting in the whole to 932, and sent them to France, before he left the place; and as transports were daily expected from Halifax, to take the remainder of the inhabitants (whom he supposes to be about 1000) he has left the *Surprize* and *Martin* to see them embarked, with orders to destroy the houses, stores, &c. that were remaining.

Inclosed I transmit you an account of the fish and oil found at *St. Pierre's* and *Miquelon*, together with the number of boats, and small arms, agreeable to the return made to me by Commodore Evans.

## No. I.

*An account of the small arms and accoutrements found at St. Pierre's and Miquelon, belonging to the French King, viz.*

Total number of musquets, 173; bayonets, 173; cartouch-boxes, 172; swords, 88; belts, 106.

J. MONTAGU.

## No. II.

*An account of shallops, fish, oil, and salt, found at St. Pierre's and Miquelon, belonging to the inhabitants of the said islands, viz.*

Total number of shallops with shifting decks, 10; shallops with fixed decks, 22; shallops without decks, 165; canoes, 82, fish in quintals, 16,235; oil in hogheads, 201; salt in hogheads, 244.

[Gazette.] J. MONTAGU.

*Extract of a letter from Mr. PATERSON, Surgeon of the Pallas, dated St. John's, Newfoundland, Oct. 19.*

"I embrace this opportunity of writing by the *Hawke* sloop, bound express to England. We arrived at Quebec the 25th of August, after a tedious passage of 13 weeks. We sailed from Portsmouth with 13 sail of transports, on board of which were 1000 foreign troops, 12 sail of which

were brought safe, the other, loaded with ordnance stores, we conclude foundered in a hard gale of wind: we staid here two days to compleat our water, then sailed for *St. John's*, Newfoundland, where we arrived the 5th of September; the 12th we sailed under the command of Commodore Evans, in his Majesty's ship *Romney*, *Surprize* frigate, *Martin* and *Bonavista* sloops; for *St. Pierre's*, a French settlement in Newfoundland, with orders to take, burn, and destroy all French property. We arrived there the 15th, and took possession of the town, and the 16th sent all the inhabitants to France in such vessels as were there; after which we brought away two French ships, having previously loaded them with the most valuable things on the island, valued at 12,000*l.* instead of which, had we had vessels to put the goods which were on the island on board of, we might have had three times the sum. As soon as the inhabitants were put on board the vessels, we burnt the town, together with several thousand pounds worth of fish. We returned to *St. John's* three days ago, and shall sail for *Cadix* the 25th, with a convoy; after which we are to return to England, where we hope to be about the beginning of January."

Whitehall, Dec. 1, 1778.

Copy of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN, dated New-York, Oct. 2, 1778.

My Lord,

Judging it a necessary step towards obtaining the release of the troops of the Convention of Saratoga, to renew the demand for fulfilling the conditions thereof, at the same time, that in obedience to his Majesty's commands signified to me in your Lordship's letter of the 12th of June, I offered the assurances therein directed; I sent a letter to the American Congress,

Congress, of which the inclosed is a copy, and another, of the same tenor and date, to General Washington.

In answer to the former, I received a letter on the 1st instant from the Secretary of the Congress, a copy of which I have the honour to inclose.

To the latter no answer has as yet been received.

I have the honour to be, &c.

H. CLINTON.

*Copy of a letter from his Excellency Sir HENRY CLINTON to his Excellency HENRY LAURENS, Esq. President, and others the Members, of the American Congress at Philadelphia, dated New-York, Sept. 19, 1778 :*

Sir,

Nothing but his Majesty's positive instructions, of which I send you an extract, could have induced me to trouble you or the American Congress again on the subject of the troops detained in New-England, in direct contravention of the treaty entered into at Saratoga. The neglect of the requisitions already made on this subject is altogether unprecedented among parties at war. I now, however, repeat the demand, that the Convention of Saratoga be fulfilled, and offer, by express and recent authority from the King, received since the date of the late requisition made by his Majesty's Commissioners to renew; in his Majesty's name, all the conditions stipulated by Lieutenant-general Burgoyne, in respect to the troops serving under his command.

In this I mean to discharge my duty not only to the King, whose orders I obey, but to the unhappy people likewise, whose affairs are committed to you, and who I hope will have the candour to acquit me of the consequences that must follow from the new system of war you are pleased to introduce.

I have the honour to be, &c.

H. CLINTON.

*Copy of a letter from CHARLES THOMSON, Secretary to the Congress, to his Excellency General Sir HENRY CLINTON, dated Philadelphia, Sept. 28.*

Sir,

Your letter of the 19th was laid before Congress, and I am directed to inform you, that the Congress of the United State, of America make no answer to insolent letters.

I am, &c.

(Signed) CHA. THOMSON, Sec.  
*Copy of a letter from General Sir HENRY CLINTON to Lord GEORGE GERMAIN, dated New-York, October 8, 1778.*

My Lord,

On the return of the troops from the expedition to Bedford, &c. I proposed taking a forward position with the army, as well to procure a supply of forage, as to observe the motions of the rebel army, and to favour an expedition to Egg Harbour; at which place the enemy had a number of privateers and prizes, and considerable salt works.

Accordingly on the 22d of last month, I requested Lord Cornwallis to take a position between New-Bridge on the Hackinsack River, in Jersey, and Hudson's River, and Lieutenant-general Knyphausen one between Wepperham, on the last of those rivers, and the Bronx.

In this situation, with the assistance of the flat-boats, we could assemble the army on either side of the North River in 24 hours; and by our having the command of that river as far as the Highlands, Mr. Washington could not assemble that of the rebels in ten days: to have done it in Jersey, he must have quitted his mountains, and risked a general action in a country little favourable to him.

As by the move before-mentioned, the provinces of Jersey and New-York were opened, we received a considerable supply of provisions, and a number of families came in.

General

General Washington did not seem to shew the least disposition to assemble his army, and the militia kept at a distance; however, by a well projected plan of Lord Cornwallis's, almost an entire regiment of the enemy's light dragoons were surprized and carried.

For the particulars of this, I beg leave to refer your Lordship to Lord Cornwallis's report; a copy of which I have the honour to inclose.

Having acquainted your Lordship, in my letter, No. 20. that the convoy is now ready for the expedition, I have therefore directed the troops to fall back, in order that such of the regiments as are destined for that service, may proceed upon it without delay.

I am, &c.

H. CLINTON.

*Copy of a Report from Lieutenant-general Earl CORNWALLIS to Sir HENRY CLINTON, K. B. dated New Bridge, September 28, 1778.*

Sir,

Having received intelligence that a considerable body of militia and a regiment of light dragoons were assembled in the neighbourhood of Taapan, in order to interrupt our foraging, a plan was formed on the evening of the 27th for surprizing them. Three deserters from the right column alarmed the militia, who were posted near New Taapan, by which means they made their escape; but the left column, commanded by Major-general Grey, were so fortunate as not to be discovered; and the Major-general conducted his march with so much order and so silently, and made so good a disposition to surround the village of Old Taapan, where the regiment of dragoons lay, that he entirely surprized them, and very few escaped being either killed or taken. He likewise fell in with a small party of militia, a few of whom were killed, and some taken prisoners. The whole

loss on our side was one man killed of the 2d battalion of light infantry, which corps had the principal share in this business, and behaved with their usual spirit and alacrity.

The 71st regiment, commanded by Lieutenant-colonel Campbell, and the Queen's Rangers, under Lieutenant-colonel Simcoe, who crossed the North River from Lieutenant-general Knyphausen's division, and were to have co-operated with the other columns, were prevented, by the desertion of the three men before-mentioned, from surprizing a body of militia, who by that means took the alarm and made their escape.

I have the honour to be, &c.

(Signed) CORNWALLIS.  
*Extract of a letter from General Sir HENRY CLINTON, Knight of the Bath, to Lord GEORGE GERMAIN dated October 25, 1778.*

In my letter of the 8th instant I mentioned that my move into Jersey was partly to favour an expedition sent to Egg Harbour. I have now the honour to inclose copies of two reports made to me by Captain Ferguson of the 70th regiment, who commanded the troops employed upon that service, to which I beg leave to refer your Lordship for an account of its success, under the direction of that very active and zealous officer.

(Copy.)

*Report of Captain FERGUSON of the 70th regiment, to his Excellency Sir HENRY CLINTON, dated Little Egg Harbour, Oct. 10, 1778.*

Sir,

I have the honour to inform you, that the ships, with the detachment ordered to this place, arrived off the bar on the evening of the 5th inst. when Captain Collins sent in the galleys, but the ships could not enter before the 7th.

Three privateers of six or eight guns, with an armed pilot-boat, had escaped out of the harbour before

our

our arrival, in consequence of advice received on the 2d from Mr. Livingston, warning them of our destination.

As it was from this evident that preparations had been making against us for several days, it was determined to allow no further time, but to push up with our galleys and small craft, with what soldiers could be crowded into them, without waiting for the coming in of the ships; accordingly, after a very difficult navigation of 20 miles inland, we came opposite to Chesnut Neck, where there were several vessels and about a dozen of houses, with stores, for the reception of prize goods, and accommodation for their privateers men.

The rebels had there erected a work with embrasures for six guns, on a level with the water, to take the channel, and another upon a commanding eminence, with a platform for guns en Barbette, in which however it afterwards appeared that they had not as yet placed artillery.

The banks of the river below the works being swampy, rendered it necessary for the boats with the troops to pass within musquet shot, in order to land beyond them; previous to which Captain Collins advanced with the galleys to cover our landing, and as he came to very close to the works, and the guns of the galleys were remarkably well pointed, the fire from the rebels was effectually stifled; and, the detachment landing with ease, soon drove into the woods the skulking banditti that endeavoured to oppose it.

The seamen were employed all that evening, and the next day till noon, in destroying ten capital vessels; and the soldiers in demolishing the village, which was the principal resort of this nest of pirates. Had we arrived by surprize, we meant to have pushed forward with celerity to the Forks, within thirty-five miles of Philadelphia. But as the alarm had been spread through the country, and the

militia there had been reinforced from Philadelphia by a detachment of foot, five field pieces, and a body of light horse, our small detachments could not pretend to enter twenty miles further into the country, to reach the stores and small craft there; and the shallowness of the navigation rendered it impracticable for the galleys to co-operate with us; it was therefore determined to return without loss of time, and endeavour to employ our force with effect elsewhere: but some of our vessels having run a-ground; notwithstanding the very great diligence and activity of Captain Collins and the gentlemen of the navy, an opportunity offered, without interrupting our progress, to make two descents on the north side of the river, to penetrate some miles into the country, destroy three salt-works, and raze to the ground the stores and settlements of a Chairman of their Committees, a Captain of militia, and one or two other virulent rebels, who had shares of the prizes brought in here, and who had all been remarkably active in fomenting the rebellion, oppressing the people, and forcing them against their inclination and better judgment, to assist in their crimes.

At the same time be assured, Sir, no manner of insult or injury has been offered to the peaceable inhabitants, nor even to such, as without taking a lead, have been made, from the tyranny or influence of their rulers, to forget their allegiance.

It is my duty to inform you, that the officers and men have cheerfully undergone much fatigue, and every where shewn a disposition to encounter any difficulties that might offer.

I have the honour to be, with the greatest respect, &c.

(Signed)

PAT. FERGUSON, Capt. 70th reg.  
P. S. One soldier of the 5th was wounded through the leg at Chesnut Neck; but we have neither lost a  
man

man by the enemy nor desertion since we set out.

( C O P Y . )

*Report of Capt. FERGUSON, of the 70th Regiment, to his Excellency Sir HENRY CLINTON, dated Little Egg-harbour, Oct. 15, 1778.*

Sir,

Since the letter which I did myself the honour of writing to you on the 10th inst. Captain Collins has received a letter from Admiral Gambier, signifying that the Admiral and you are both of opinion, that it is not safe for us to remain here, as the army is withdrawn from the Jerseys, and ordering our immediate return; but as the wind still detained us, and we had information by a Captain and six men of Polaski's legion, who had deserted to us, that Mr. Polaski had cantoned his corps, consisting of three companies of foot, three troops of horse, a detachment of artillery, and one brass field piece, within a mile of a bridge, which appeared to me easy to seize, and from thence to cover our retreat; I prevailed upon Captain Collins to enter into my designs, and employ an idle day in an attempt that was to be made with safety, and with a probability of success. Accordingly, at eleven last night, 250 men were embarked, and, after rowing ten miles, landed at four this morning within a mile of the defile, which we happily secured, and leaving 50 men for its defence, pushed forward upon the infantry of this legion, cantoned in three different houses, who are almost entirely cut to pieces. We numbered among their dead about 50, and several officers, among whom we learn are a Lieutenant-colonel, a Captain, and an Adjutant. It being a night attack, little quarter could of course be given; so that there are only five prisoners. As a rebel Colonel Proctor was within two miles, with a corps of artillery, two brass twelve-pounders, one three pounder, and the

militia of the country, I thought it hazardous with 200 men, without artillery or support, to attempt any thing further, particularly after Admiral Gambier's letter.

The rebels attempted to harass us in our retreat, but with great modesty, so that we returned at our leisure, and re-embarked in security.

The Captain who has come over to us is a Frenchman named Bromville. He and the deserters inform us, that Mr. Polaski has, in public orders, lately directed no quarter to be given; and it was therefore with particular satisfaction, that the detachment marched against a man capable of issuing an order so unworthy of a gentleman and a soldier.

It is but justice to inform you, Sir, that the officers and men, both British and Provincials, on this occasion, behaved in a manner to do themselves honour.

To the conduct and spirit of Captain Cox, Lieutenant Littleton, and Ensign Cotter, of the 5th regiment, and of Captain Peter Campbell, of the 3d Jersey volunteers, this little enterprize owes much of its success; as well as to the arrangements of Captain Collins of the navy, and the attention of Captain Christian, who accompanied the embarkation.

Being this moment returned, and the dispatch vessel going off, I cannot give you a precise return of our loss, but I believe it does not exceed 2 men killed and 2 wounded.

I have the honour to be, &c.

(Signed)

PAT. FERGUSON, Capt. 70th reg.

P. S. The dispatch vessel not having got to sea last night, I am enabled to inform you, that our yesterday's loss consists of two men of the 5th, and one of the Provincials missing, and two of the 5th slightly wounded; Ensign Camp, of the 3d Jersey volunteers, has received a stab through his thigh.



We had an opportunity of destroying part of the baggage and equipage of Polaski's legion, by burning their quarters; but as the houses belonged to some inoffensive Quakers, who, I am afraid, have sufficiently suffered already in the confusion of a night's scramble, I know, Sir, that you will think with us, that the injury to be thereby done to the enemy would not have compensated for the sufferings of these innocent people.

*Extract of a letter from Rear-admiral GAMBIER to Mr. STEPHENS, dated on board the Ardent, off New-York, Oct. 20, 1778.*

You will please to acquaint their Lordships, that having, in conjunction with the Commander-in-Chief of the army, judged it expedient to annoy the rebels at Egg-harbour, situated near the mouth of this port, from whence their little privateers sail to intercept the trade bound thither, I ordered Captain Collins, of the Zebra, with the Vigilant, Nautilus, some galleys, and small armed vessels, of little draught of water, on this service, the army furnished three hundred men, under the command of Captain Ferguson, on board small transports. The little squadron sailed on the 30th of September, but, by unfavourable winds, could not get off the bar until the 5th following. I have this moment received the accompanying letter from Captain Collins, which I enclose for the information of their Lordships, of the particulars of that spirited service, which we have reason to believe has sensibly annoyed the rebels.

The Raleigh, a very fine rebel frigate, has been taken and brought in here, by the Experiment and Unicorn.

Zebra, in Little Egg-harbour, Oct. 9.

Sir,

The King's ships, galleys, and armed vessels, appointed to act under

my orders, having all joined at Staten-Island, the evening of the 30th of September, and the troops being embarked on board the transports, I got under weigh, and stood to sea, with the wind northerly; but it shifting the day following to the southward, and blowing strong, together with some severe weather, which afterwards ensued, prevented our getting off this place before the afternoon of the 5th of this month, when the tide proving favourable, I ordered the Halifax brig, together with the Dependence and Cornwallis galleys, to proceed into the harbour, and take a position to prevent the escape of any of the enemy's vessels. The wind being at north west, and continuing to blow fresh the next day, made it impossible to get the King's ships or transports over the bar, I therefore ordered the troops to be put on board the armed vessels, and it proving a little more moderate in the evening, we had the good fortune to get them all safe into the harbour. As we found by some information we received, that intelligence of our intentions had reached the rebels, several days preceding our arrival (which enabled them to get four privateers to sea) no time was to be lost in proceeding up the river: we therefore embarked as many of the troops as was possible, on board the galleys and armed vessels (previously taking every thing out of them which could be done, to lessen their draught of water) and the rest I ordered into the flat and gunboats, and proceeded with the whole at day-break, the next morning up the river: our progress was attended with great difficulty owing to the extreme shoalness of the water, and the want of pilots: the Granby and Greenwich armed sloops grounded off Mincock island, and could not be advanced farther; we however got up with the galleys, and Nautilus and Experiment's tenders, about four in the

the afternoon, to Chestnut Neck, where the rebels had several vessels and store houses. They ranged themselves in numbers, in a breast-work, they had erected, on an eminence, and shewed themselves in a battery (which, as we afterwards found, had no guns) on the beach, but were soon disordered by a well managed fire from the galleys, the troops landing immediately under the protection of the gun-boats and cannonade of the galleys, soon drove them from their works, and made them disperse in the woods without any loss. The vessels at this place, amounting to ten in number, we found were mostly British, which had been seized upon by the rebel cruisers; amongst them was the Venus, of London, and others of considerable size, which they could not carry higher up: as all of them were scuttled and dismantled, and some sunk, it was impossible (notwithstanding my solicitude and wishes to recover the property of the King's subjects) to get them down here; I therefore ordered them to be fired and destroyed. The storehouses and settlements here, which seemed so particularly adapted to the convenience of this nest of freebooters, I was also of opinion, with the commanding officer of the troops, should be destroyed; which was accordingly done, also the battery before-mentioned; and the work on the hill. About noon, this day, all the King's ships, and the two transports, got safe over the bar, and anchored in the harbour.

Had the weather admitted of our arriving more opportunely, we had it in view to attempt penetrating to the Forks, where the rebels have some small privateers and a few other inconsiderable trading vessels; but as the country had been long alarmed, the natural difficulties attending the bringing the galleys and armed vessels, unprovided with pilots, up so shoal and narrow a channel, through

a commanding country, would have been so much increased by the efforts of a prepared enemy, that we could not entertain much hopes of success, particularly as we had intelligence the rebels had collected all their strength to that point, consisting of Proctor's artillery, and some other regular force from Philadelphia, in addition to a large body of militia, provided properly with cannon; we therefore thought it most prudent to abandon that enterprize.

The 7th, at noon, I got under weigh with the galleys, armed vessels, &c. and stood down the river; the Greenwich and Granby armed sloops being still aground, I brought to anchor in the evening, to assist in getting them off, which was effected by taking every thing out of them the next morning: during this delay of the vessels, the troops, under the command of Captain Ferguson, were employed, under cover of the gun-boats, in an excursion on the north shore, to destroy some principle salt-works, also some stores and lodgements belonging to the people, the most notorious for being concerned in the privateers, and destroying and oppressing the peaceable and moderate part of the King's subjects, which was likewise accomplished without any loss.

The morning following I got under weigh with all the vessels, and came down here with the Cornwallis galley and two of the armed sloops; the Greenwich having again got aground in her way down, has obliged me to leave the Dependence galley at some distance from here, for her protection.

I shall take the most early opportunity of the wind to leave this place, and (if the weather proves so favourable as to admit of it) we have it in view to employ ourselves, on our return to New-York, in looking into Barnegat and Cranbury inlets, and to destroy or bring off any vessels that

may happen to be there, and demolish the salt-works, which are very considerable, on the shores of those recesses.

I think it my particular duty to inform you, the officers and seamen I have had the honour to command on this service, have manifested their best endeavours in their duty. I should also think myself wanting, if I omitted to acquaint you, that Captain Ferguson, the commanding officer of the detachment of the army, as well as every officer and man under his command, have shewn the utmost zeal and forwardness to cooperate in every thing for the advancement and benefit of his Majesty's service.

I have the honour to be, with great respect, Sir, your most obedient humble servant;

HENRY COLINS.

P. S. This will be delivered by Lieutenant Quarme, of the Halifax brig, who, being on a cruize on this station, and thinking his vessel might prove useful, I took the liberty to bring on with me. Besides the vessels I have before had the honour to inform you were destroyed at Chestnut Neck, we have taken a brig here, laden with lumber; but as she is stripped of the most material of her rigging, and all her sails, and being besides very old and unfit to bring round, I have ordered her cargo to be put on board the two transports, knowing how serviceable such a supply will prove to the dock-yard. *Zebra, Little Egg-Harbour, Oa. 15.*

1778.

Sir,

Since closing my letter of the 9th instant, I have had the honour to receive your orders of the 10th, by a sloop from New-York, to which I shall not fail to pay due attention. The weather having proved exceedingly bad since that time, and the wind having been continually foul, has prevented me dispatching the

Halifax, as I first intended; and put it totally out of my power of attempting any movement from hence with the fleet, which cannot be undertaken but with a good opportunity to pass the bar, which is dangerous and difficult. This delay of the vessels has given Captain Ferguson and his detachment an opportunity of performing a very gallant and meritorious piece of service. A Captain, Serjeant, and four men, came down to us, the evening before last, from the rebels, and gave us some very satisfactory intelligence of the legion of Polaski (to which they belonged) being posted about ten miles from hence; and Captain Ferguson being of opinion with myself, that a safe attempt might be made to surprize them, an arrangement was determined on last evening, and a detachment of 250 men, partly marines, were embarked with him in the flat-boat, gun-boats, &c. under the command of Captain Christian, of the *Vigilant*: they arrived at the place of landing about four in the morning, and the troops making a quick movement towards the enemy, got into their quarters almost undiscovered: they made their attack with the bayonet, and killed about fifty of the legion of Polaski, among whom was a Lieutenant-colonel, and three other officers, and brought off four prisoners. Our loss on this occasion, I have the satisfaction to tell you, is very inconsiderable. This morning a small privateer appeared off here, and it being calm, I sent out the boats of the fleet, and brought her in; she is one of the little piratical crew that infest these inlets, mounts only six swivels and one two-pounder; her people made their escape in their boat.

I have the honour to be, with great respect, Sir, your most obedient humble servant,

HENRY COLINS

Rear-admiral Gambier in a subsequent

sequent letter to Mr. Stephens, dated October 25, mentions that Vice-admiral Byron, with his squadron, sailed the 18th of that month from Sandy-hook for Boston, in search of Count D'Estaing's fleet; and that Commodore Hotham, with the ships and transports under his command, would sail the 20th to join Rear-admiral Barrington at the Leeward Islands.

*Whitehall, December 1, 1778.*

*Extract of a Letter from Lieutenant-governor STUART to Lord GEORGE GERMAINE, dated Dominica, Sept. 29, 1778. Received Nov. 28.*

I am exceedingly sorry, that so soon after closing my dispatches, I have the mortification to acquaint your Lordship, that this island is in possession of the French King.

In the morning of the 7th inst. at half past four, upon hearing a gun from our battery and signal post at Calhacron, or Scott's-head, and observing the signal for an enemy, I ordered Young's battery at Roseau, being near me, to repeat it, in conformity to instructions for taking up signals; about a quarter of an hour afterwards, a second gun was fired, and the signal still continued; and day-light shortly after appearing, I discovered some vessels coming round the Point, and soon perceived, instead of ours, a white flag flying on the battery. These observations, and the increasing number of vessels which came in sight, soon convinced me that they were enemies, who had forced the battery, and were coming to attack the island. I instantly ordered the alarm to be given for assembling our forces: in the mean time the ships and vessels stood for a place named Point Michel, two miles south of Roseau, and, as they approached, I discovered that they consisted of four frigates, ten armed sloops and schooners, with about twenty others, being transports with troops. About six o'clock boats were

seen going on shore at Point Michel, and men landing from them in great numbers. As they were beyond the reach of our guns, they effected their landing without opposition.

I had at this time made the best disposition I could wish our small force to impede their approach to the town. I had detached Lieutenant Ross, the only officer of artillery we had in garrison, with six matrosses, and Lieutenant Jones, of the 48th regiment, an officer of militia, and a volunteer of the 48th regiment, Mr. Warner, with twenty-four men, half regulars, of the 48th, and half militia, to defend the battery at Loubiere, which was about half way between Roseau and the place where the enemy were landing. Captain Grove, commanding the detachment of the 48th regiment, was posted in Young's battery in the town of Roseau, our most important post, with Lieutenant Fenton, and twenty-nine men, of the 48th regiment, and forty militia; thirty militia, with some matrosses, were thrown into Melville's Battery; a detachment of artillery, militia, with others, were placed, with two field-pieces, on Jolly's-hill, to oppose their march toward Charlotte-town, and Captain Man, the chief engineer, commanded the remainder of the militia, a few volunteer troopers, and others, on the new battery at Guey's-hill.

The landing of the enemy, amounting at least to 2000 men, was in three divisions; the first of which we could pretty nearly distinguish on their way to be about 600 in number, marching towards us, as soon as they were landed, under a very brisk fire from all our batteries on that side: and, on their being within 200 yards of Loubiere battery, all the artillery ammunition being expended, which had been carried there, as it was unfinished and had no magazine, Lieutenant Ross and Jones with their parties retired, the first joining the party at

at Melville's Battery, and the other that on Jolly's Hill, according to directions I had given: the enemy, in the mean time, took possession of Loubiere Battery; but our heavy fire from our others soon obliged them to quit it, and to shelter themselves under cover of the high lands on the Roseau side of Loubiere River, where they took post, waiting for the other two divisions, which we could see in full march from Point Michel to join them.

We soon discovered they had sent a considerable detachment, amounting, as we have been informed, to 300 men, being grenadiers and chaffeurs, to the heights of Dumoulin's Hill; some of them were already on the ridge, ready to attack us in the rear of Guey's Hill and Melville's Battery.

The main body, now reinforced by the arrival of the other divisions, had begun to form, in order to advance to the town. A large body of the enemy was then discovered to be landing, under cover of a frigate, on the north side of the town, consisting, according to the information we have since received, of about 500 privateers men and people of colour. These several attacks, it seems, were to have been made at the same time, for which, we have been informed, signals were to have been given from the heights.

Three of the frigates at the same time approached us in different directions to cannonade Young's Battery and the town.

It was now about twelve o'clock, when I received a message on Jolly's Hill, on the point of which I was reconnoitring the disposition of the forces of the enemy, from the Council of the island, and others of the principal inhabitants, requesting, that, on account of the most critical and dangerous situation of the Colony, I would call a Council of war. My zeal for his Majesty's service, my affection for his subjects, and my own

honour, were inducements for me to comply with their requests, and to assemble the military officers as soon as it was possible.

The opinion of the Council, on the consideration of the enemy and our own, I send your Lordship inclosed. I accordingly sent a flag of truce to the enemy, to know what terms would be granted to us if we should be inclined to capitulate; resolving at the same time to accept of none but such as would be honourable to his Majesty, and beneficial to his subjects, or to resist to the last extremity. A parley for an hour was consented to by the Marquis De Bouillé, who commanded the French troops; and the articles of capitulation which I now send to your Lordship were agreed to on his part and mine. During the time of the parley, one of the French frigates, called the Tourterelle, fired two broadsides upon Young's Battery and the town, which had very nearly broken it off, and brought us into immediate action.

The enemy in the attack must have lost considerably, but they at present conceal the number; the loss to his Majesty was only two privates of the 48th regiment. The different attacks of the enemy were commanded by the Marquis De Bouillé, Governor-general of Martinico, the Marquis Duchelleau, now Governor of Dominica, Count de Tilly, Viscount Damas, and Chevalier Jeffry, a Lieutenant-general and chief engineer.

The detachment of the 48th regiment, with the detachment of artillery, embarked this day for Grenada, which I conceive to be best for his Majesty's service. I intend leaving Dominica as soon as I have given solidity in establishing the terms of capitulation, and will take the first opportunity to return to Europe. I have the honour, &c.

W. STUART.  
P. S. I.

P. S. I sent an exprest to Barbadoes to Admiral Barrington, in the morning of the attack, as soon as I discovered the fleet was an enemy. I also dispatched a vessel to Governor Burt at Antigua; both of which got away.

## ( COPY. )

*Article of Capitulation, between the Marquis DE BOUVILLE, General of the French Windward Islands belonging to his Most Christian Majesty, and Governour STUART, Commander in Chief, and the Inhabitants of Dominica, belonging to his Britanic Majesty.*

ARTICLE I. That we the Governour, Staff Officers, Officers of the troops and soldiers, shall march out with one mortar, two field pieces of brass cannon, with ten rounds for each, arms, baggage, and all the honours of war.

ART. I. Granted that the garrison shall march out with all the honours of war, and (the officers excepted) shall afterwards lay down their arms.

ART. II. That the regular troops, consisting of six officers, and ninety-four men, being non commissioned officers, artillery, and privates, shall be carried to England by the shortest passage, in a good vessel, with provisions for the passage, or remain here upon their parole.

ART. II. Granted, on condition that they do not serve against the King of France, until they are exchanged; but the officers only may stay here on their paroles, and not the privates.

ART. III. That the officers and others shall have leave to take with them their wives and children to the English Islands, by the shortest passage, and that a good vessel shall be provided for them, with provisions for the passage.

ART. III. Granted.

ART. IV. That the inhabitants of the island shall march out of their posts, with the honours of war, viz. two brass field pieces, their arms and

baggage, colours flying, drums beating, and lighted match.

ART. IV. Granted.

ART. V. That the inhabitants of the island shall be allowed their civil Government, their laws, customs, and ordinances: Justice shall be administered by the same persons who are now in office, and what relates to the inferior police of the island shall be settled between his Most Christian Majesty's Governour and the inhabitants: and in case the island should be ceded to the King of France, at the peace, the inhabitants shall have their choice, either to keep their own political Government, or accept that which is established at Martinico, and the other French islands.

ART. V. Granted until the peace.

ART. VI. That the inhabitants, as well as the religious order, shall be maintained in the possession of their estate, and the enjoyment of their possessions, as well real as personal estates, noble and ignoble, of what nature so ever they be; and that they shall be supported and preserved in their privileges, rights, honours and exemptions, and the free mulattoes and negroes in their liberty.

ART. VI. Granted.

ART. VII. That they shall pay no other duty to his Most Christian Majesty than they have paid to his Britannic Majesty, without any charge or imposts. The expences attending the administration of justice, the ministers stipends, and other customary charges shall be paid out of the revenue of his Most Christian Majesty, in the same manner as under the Government of his Britannic Majesty.

ART. VII. Granted. And that the inhabitants of Dominica may freely export their produce to all parts, on paying into the custom-house the duties which the inhabitants of the French islands pay in the islands, or in Europe; but the expences for the administration of justice shall be paid by the Colony.

ART. VIII.

ART. VIII. That the slaves, baggage, merchandize, and every other thing which shall have been taken during the attack of the island, shall be restored.

ART. VIII. Granted, that they shall be faithfully restored.

ART. IX. The absent inhabitants, and such as are in the service of his Britannic Majesty, shall be maintained in the possession and enjoyment of their estates, which shall be managed for them by attorneys.

ART. IX. Granted.

ART. X. The inhabitants shall not be obliged to furnish quarters, or any other thing for the troops, nor slaves to work at the fortifications.

ART. X. There are cases of absolute necessity wherein there are no exceptions, but in ordinary cases the troops shall be lodged at the King's expence, and in houses to him belonging. The negroes employed for the public works shall be paid for.

ART. XI. The vessels and droghers belonging to the inhabitants of the island, shall still remain their property.

ART. XI. Granted, but the English vessels from Europe shall be faithfully given up and delivered to the King's marine.

ART. XII. The widows and other inhabitants, who through illness, absence, or any other impediment, cannot immediately sign the capitulation, shall have time allowed to accede to it.

ART. XII. Granted.

ART. XIII. The inhabitants and merchants of this island included in the present capitulation, shall enjoy all the privileges of trade, and on the same conditions as are granted to the subjects of his Most Christian Majesty, throughout the extent of his dominions.

ART. XIII. Granted.

ART. XIV. The inhabitants shall

enjoy their own religion, and the ministers their livings.

ART. XIV. Granted.

ART. XV. That the inhabitants shall observe a strict neutrality, and shall not be forced to take up arms against his Britannic Majesty, nor against any other power.

ART. XV. Granted, but the subjects who were born Frenchmen, may freely serve the King of France, without being called to an account for it, in case the island of Dominica should return to the Government of England; and those who will not serve shall not be molested by the French Government.

Signed BOUILLE.

WILLIAM STUART.

ART. XVI. All prisoners taken during the attack of the islands shall be returned.

ART. XVI. Granted.

ART. XVII. The merchants of the island may receive vessels to their address, from all parts of the world, without their being confiscated; and they may sell their merchandize and carry on their trade, and the port shall be entirely free for them, for that purpose, paying the customary duties paid in the French islands.

ART. XVII. Granted until the peace, English vessels excepted.

ART. XVIII. The inhabitants shall keep their arms.

ART. XVIII. Granted, on condition that they do not serve against the King of France.

ART. XIX. No other but the persons actually residing in the island shall possess any lands or houses, by purchase, grant, or otherwise, before a peace; but if at a peace this island should be ceded to the King of France, then such of the inhabitants as do not chuse to live under the French Government shall be permitted to sell their possession and estates, both real and personal, to whom they will, and retire wherever they please;

one of the houses a person of the name of M'Ginnia, perished in the flames, and one man was only killed. There were 63 dwelling-houses, 57 barns, 3 grist-mills, and two saw-mills, burnt, with most of the furniture and grain contained therein; and 235 horses, 229 horned cattle, 269 sheep, and 93 oxen, taken and carried away.

*Trenton, October 7.* On the morning of the 27th of September, General Maxwell received intelligence that General Clinton had come from New-York to Staten-Island the evening before. That a large body of the enemy were lying on their arms on the Island.—That a number of armed vessels and flat-bottomed boats were collected; and that it was expected they would land at Elizabeth-town Point at eleven o'clock. At half past ten they appeared in sight, standing for Crane's-ferry, with 11 or 12 sail of brigs, sloops and galleys, and their flat-boats behind. The weather being hazy, and the General not being able to see their rear, supposed them to be coming in force, and therefore ordered the alarm guns and signals to be fired. The militia turned out—the General with his brigade marched down with his usual spirit to meet them. But they turned about and went up to Newark Bay, and thence up Hackinsack River. The enemy have some days past desolated the county of Bergen as far as their power extended. They have thrown up some works on the other side of the New-bridge, beyond Hackinsack.

The same day General Winds, of our militia, marched from Aquackanock to Hackinsack with upwards of 2000 men, in high spirits, and more were following. General Heard, our other Brigadier, was the evening before with four regiments at the shore hills above Woodbridge.

General Winds has since been as far as Hackinsack, and had parties out to the New-bridges. He has of-

fered the enemy battle, but they declined it. They have sent near an hundred small vessels up the bay to Hackinsack, such as sloops, shallops, tow galleys, and flat-bottomed boats, for the purpose, as it is supposed of bringing off their plunder.

In the night of the 28th, they began a smart firing from their vessels, with small cannon or large swivels, at Dehart's Point, near Elizabeth-town, upon our sentries, but hurt not a man. Our people briskly returned it, and supposed by the bawling of the enemy that some of them were wounded.

A gentleman informs us, that Major-general Lord Stirling, with a formidable body of the American army, crossed the North River, a few days ago, in order to chastise the plundering herd from New-York.

General Maxwell with his brigade, has also marched to co-operate with his Lordship's detachment.

We have just received information that ten regiments of the enemy have received orders to embark at New-York, for the West-Indies.

In the night of the 20th of September Governor Livingston received intelligence of the enemy's intentions to attack Egg-harbour, and at three o'clock in the morning called a Council, and took measures to defeat their enterprize.

*Trenton, Oct. 14.* We hear that on Wednesday last the enemy left Egg-harbour, after having destroyed a number of vessels, and several houses belonging to gentlemen who have distinguished themselves by their attachment to the American cause. They have, it is said, bent their course towards Tom's River, in order to destroy our salt works.

Among the officers who fell into the hands of the enemy in Colonel Baylor's late disaster, at Old Tapan, were Captain Swan, Doctor Evans, junior, Surgeon, Lieutenant Randolph, and three Cornets. Cap-



tain Stith being suddenly surrounded by the enemy's horse and foot, and seeing no probable way of getting off, called out for quarter; but they, contrary to the rules of war and every sentiment of humanity, refused his request, called him a *damned rebel*, and struck him over the head with a sword—which fired him with such indignation, that he bravely fought his way through them, leaped over a fence, and escaped in a moment. Lieutenant Barret got off on horseback; and Lieutenant Morrow with a number of others badly wounded, and left on the field as dead, were next morning brought off by a party of the regiment, the remaining part of which is now commanded by Capt. Stith. Several of those his party brought off are since dead of their wounds.

*Philadelphia, Oct. 14.*

*Extract of a letter from Baltimore, Oct. 2.*

“By a French vessel arrived this morning from Cape François, we learn the French had taken possession of Turk's Island, and carried off the people who had settled there. He also says that three English privateers had been carried into the Cape.”

*Philadelphia, Oct. 14.*

*Extract of a letter from General WASHINGTON to Congress, dated Fish-kill, Oct. 3, 1778.*

“That part of Baylor's regiment which escaped came off in the first instance, and were afterwards brought off in so dispersed a manner, that the number has not been ascertained, but from what I have learned I should estimate the loss at about 50 men and 70 horse. Major Clough is dead of his wounds. This affair appears to have been attended with every circumstance of cruelty.

“It is a small compensation for this accident that Colonel Butler, three or four days ago, with a party of infantry and horse, comprehending

Major Lee's corps surprised about an hundred yagers below Tarry-town, killed 10 on the spot, and took a Lieutenant and 18 men prisoners. The roughness of the country facilitated the flight of the rest, and prevented the success being more complete.

Published by order of Congress,

CHARLES THOMSON, Sec.

*In Congress, Oct. 5, 1778.*

Resolved, That 50,000 dollars in specie, be advanced to Colonel Beatty, Commissary-general of prisoners, for the use of the prisoners in the hands of the enemy, and to discharge the debts of those exchanged; and that the Commissary-general make monthly returns of his expenditures to the Board of Treasury.

Extract from the Minutes,

CHARLES THOMSON, Sec.

In consequence of the above resolve, it is requested that all officers who have been exchanged since the first day of May, 1778, and who have not lodged the proper orders for payment of their board, cloathing, and other public expenditures, in the hands of Lewis Pintard, Esq. Agent in New-York, previous to their leaving their captivity, that they forthwith make out such orders, in the usual form, specifying the exact number of weeks and days of their boarding, &c. and transmit the same to Captain Thomas Bradford, Deputy Commissary of prisoners, in Philadelphia, or the subscribers at Headquarters.

JOHN BEATTY,  
Com. Gen. Prisoners.

*By the KING.*

A PROCLAMATION  
For granting the Distribution of Prizes  
during the present hostilities.

GEORGE R.

Whereas, by our order in Council dated the 29th of July last, we have ordered that general reprisals be granted against the ships, goods, and subjects of the French King, and that

that as well our fleets and ships, as also all other ships and vessels that shall be commissioned by letters of marque, or general reprisals, or otherwise, by our Commissioners for executing our office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels and goods, belonging to the French King, and bring the same to judgment in any of our Courts of Admiralty within our dominions: we, being desirous to give due encouragement to all our faithful subjects who shall lawfully seize the same, and having declared in Council, by our order of the 7th of last month, our intentions concerning the distribution of all manner of captures, seizures, prizes and reprisals, of all ships and goods, during the present hostilities, do now make known to all our loving subjects, and all others whom it may concern, by this our Proclamation, by and with the advice of our Privy Council, that our will and pleasure is, That the neat produce of all prizes taken, the right whereof is inherent in us and our Crown, be given to the takers in the proportion and manner of proceeding herein after set forth: that is to say, That all prizes taken by ships and vessels having commissions of letters of marque and reprisals, may be sold and disposed of by the merchants, owners, fitters, and others to whom such letters of marque and reprisals are granted, for their own use and benefit, after final adjudication, and not before. And we do hereby further order and direct, that the neat produce of all prizes which are or shall be taken by any of our ships or vessels of war, shall be for the entire benefit and encouragement of our Flag Officers, Captains, Commanders, and other commissioned officers in our pay, and of the seamen, marines, and soldiers, on board our said ships and vessels at the time of the capture; and that such prizes may be lawfully

sold and disposed of by them and their agents, after the same shall have been by us finally adjudged lawful prize, and not otherwise. The distribution shall be made as follows: the whole of the neat produce being first divided into eight equal parts:

The Captain or Captains of any of our said ships and vessels of war, who shall be actually on board at the taking of any prize, shall have *three eighths parts*; but in case any such prize shall be taken by any of our ships or vessels of war, under the command of a flag or flags, the flag officer or officers being actually on board or directing and assisting in the capture, shall have *one of the said three eighths parts*; the said one eighth part to be paid to such flag or flag officers in such proportions, and subject to such regulations, as are herein after mentioned:

The Captains of marines and land forces, sea Lieutenants, and Master on board, shall have *one eighth part*, to be equally divided amongst them:

The Lieutenants and Quarter-masters of marines, and Lieutenants, Ensigns, and Quarter-masters of land forces, Secretaries of Admirals or of Commodores, with Captains under them, Boatswains, Gunners, Purser, Carpenter, Master's-mates, Chirurgion, Pilot, and Chaplain on board, shall have *one eighth part*, to be equally divided amongst them.

The Midshipmen, Captain's Clerk, Master sail maker, Carpenter's-mates, Boatwain's-mates, Gunner's-mates, Master at arms, Corporals, Yeomen of the sheets, Cockswain, Quarter-masters, Quarter-masters-mates, Chirurgion's-mates, yeomen of the powder room, Serjeants of marines, and land forces on board, shall have *one eighth part*, to be equally divided amongst them:

The trumpeters, quarter-gunners, carpenter's crew, stewards, cook, armourer, steward's-mate, cook's-mate, gunsmith, cooper, swabber ordinary,

trumpeter, barber, able seamen, ordinary seamen, and marines and other soldiers, and all other persons doing duty and assisting on board, shall have *two eighth parts*, to be equally divided amongst them.

Provided that if any officer being on board any of our ships of war, at the time of taking any prize, shall have more commissions or offices than one, such officer shall be entitled only to the share or shares of the prizes which, according to the above-mentioned distribution, shall belong to his superior commission or office. And we do hereby strictly enjoin all Commanders of our ships and vessels of war, taking any prize, as soon as may be, to transmit, or cause to be transmitted, to the Commissioners of our navy, a true list of the names of all the officers, seamen, marines, soldiers, and others, who are actually on board our ships and vessels of war under their command at the time of the capture; which list shall contain the quality of the service of each person on board, and be subscribed by the Captains or Commanding Officers, and three or more of the chief officers on board.

And we do hereby require and direct the Commissioners of our navy, or any three or more of them, to examine, or cause to be examined, such lists of the muster books of such ships and vessels of war, and lists annexed thereto, to see that such lists do agree with the said muster books and annexed lists, as to the names, qualities, or ratings; of the officers, seamen, marines, soldiers, and others belonging to such ships and vessels of war, and upon request forthwith to grant a certificate of the truth of any list transmitted to them, to the agents nominated and appointed by the captors, to take care and dispose of such prize; and also upon application to them (the said Commissioners) they shall give, or cause to be given, to the said agents, all such lists from the

muster books of any such ships of war, and annexed lists, as the said agents shall find requisite for their direction in paying the produce of such prizes and otherwise shall be aiding and assisting to the said agents in all such matters as shall be necessary.

We do hereby further will and direct, that the following regulations shall be observed concerning the *one eighth part* herein before mentioned to be granted to the flag or flag officers, who shall actually be on board at the taking of any prize, or shall be directing or assisting therein. First, That a flag officer, Commander in Chief, when there is but one flag officer upon service, shall have to his own use the said *one eighth part* of the prizes taken by ships and vessels under his command: secondly, That a flag officer, sent to command at Jamaica, or elsewhere, shall have no right to any share of prizes taken by ships or vessels employed there, before he arrives at the place to which he is sent, and actually takes upon him the command: thirdly, That when an inferior flag officer is sent out to reinforce a superior flag officer at Jamaica, or elsewhere, the superior flag officer shall have no right to any share of prizes taken by the inferior flag officer, before the inferior flag officer shall arrive within the limits of the command of the superior flag officer, and actually receive some order from him: fourthly, That a chief flag officer returning home from Jamaica, or elsewhere, shall have no share of the prizes taken by the ships or vessels left behind to act under another command: fifthly, That if a flag officer is sent to command in the out-ports of this kingdom, he shall have no share of the prizes taken by ships or vessels, which have sailed from that port by order from the Admiralty: sixthly, That when more flag officers than one serve together, the eighth part of the prizes taken by any ships or vessels of the

fleet

Shot or Squadron, shall be divided in the following proportions, viz. If there be but two flag officers, the chief shall have *two third parts* of the said one eighth part, and the other shall have the remaining *third part*; but if the number of flag officers be more than two, the chief shall have only *one half*, and the other *half* shall be equally divided amongst the other flag officers: *seventhly*; That Commodores with Captains under them shall be esteemed as flag officers with respect to the eighth part of prizes taken, whether commanding in chief or serving under command.

And we do hereby further order, That in the case of cutters, schooners, and other armed vessels commanded by Lieutenants, the share of such Lieutenants shall be *three eighth parts* of the prize, unless such Lieutenants shall be under the command of a flag officer or officers, in which case the flag officer or officers shall have *one* of the said *eight eighths*, to be divided among such flag officer or officers in the manner herein before directed in the case of Captains serving under flag officers: *secondly*, we direct that the share of the master of other person acting as second in command, and the pilot, (if there happens to be one on board) shall be *one eighth part*, to be divided into three equal parts, of which *two thirds* shall go to the master or other person acting as second in command, and the remaining *one third* to the pilot; but if there is no pilot, then such eighth part to go wholly to the master or person acting as second in command: that the share of Surgeon or Surgeon's-mate (where there is no Surgeon) Midshipman, and Clerk and Steward, shall be *one eighth*; that the share of the Boatwain's, Gunner's, and Carpenter's-mates, Yeomen of the sheets, Sail-maker, Quarter-master, and Quarter-master's-mate, shall be *one eighth*; and the share of the seamen, marines, and other persons on board,

assisting in the capture; shall be *two eighth parts*. But it is our intention, nevertheless, that the above distribution shall only extend to such captures as shall be made by any cutter, schooner, or armed vessel, without any of his Majesty's ships or vessels of war being present or within sight of, and adding to the encouragement of the capture, and terror of the enemy; but in case any of his Majesty's ships or vessels of war shall be present, or in fight; that then the officers, pilots, petty officers, and men on board such cutters and schooners, or armed vessels, shall share in the same proportion as is allowed to persons of the like rank and denomination, on board his Majesty's ships and vessels of war. Lastly, it is our will and pleasure, That this our declaration, and order in Council thereupon, shall extend not only to captures from the French King, his subjects, and others inhabiting his countries, but also shall extend in the like manner to all ships and goods now taken and finally adjudged and condemned, divided, or to be taken hereafter, under the Act of Parliament of the 16th year of our reign, whereby it is enacted, That for the encouragement of our officers of our ships of war, the flag officers, Captains, Commanders, and other commissioned officers in our pay, and the seamen, marines, and soldiers on board, shall have the sole interest and property of and in all and every such ships and goods as therein are recited, which they shall seize and take; but being first adjudged, that is to say, finally adjudged lawful prize, and which are by the said Act declared forfeited to us, and to be divided and disposed of in such proportions, and after such manner as we, our heirs and successors, shall by Proclamation or Proclamations, order and direct.

Given at our Court at St. James's, the 16th day of September, 1778, in the 18th year of our reign.

GOD save the KING.

Copy

*Copy of the Marquis DE LA FAYETTE's letter to the Earl of CARLISLE, and his Lordship's Answer.*

I did not hitherto believe, my Lord, that I ever should have occasion to meet you but on the footing of politeness, except at the head of the troops which we respectively command. Your letter of the 26th of August, to the Congress of the United States, and the insulting expression on my country, which you there have signed, could alone have given me cause to quarrel with you. I do not deign to refute the charge, my Lord, but I desire to punish it. It is from you, as Chief of the Commission, that I demand a reparation as public as hath been the offence, and which must give the lie to the expression you have used. I should not have delayed this demand so long if your letter had reached me sooner. My occasions call me from hence for a few days, but on my return, I hope to find your answer. Mr. Gimot, a French officer, will settle the time and place of our meeting to suit your convenience. I do not doubt but that, for the honour of his compatriot, General Clinton will attend you to the field.

As to me, my Lord, it is indifferent who attends you; provided that, to the glory of being a Frenchman; I join that of proving to a gentleman of your country, that no one dares to insult mine, unpunished.

(Signed) LA FAYETTE.

*To the Marquis DE LA FAYETTE.*  
Sir,

I have received your letter, transmitted to me from Mr. Gimot, and I confess I find it difficult to return a serious answer to its contents. The only one that can be expected from me as the King's Commissioner, and which you ought to have known is that I do, and ever shall consider myself solely responsible to my country

and King, and not to any individual for my public conduct and language. As for any opinion or expressions contained in any publications issued under the Commission, in which I have the honour to be named, unless they are retracted in public, you may be assured I shall never, in any change of situation, be disposed to give an account of them, much less recall them in private.

The injury alluded to in the correspondence of the King's Commissioners to the Congress, I must remind you, is not of a private nature, and I conceive all national disputes will be best decided by the meeting of Admiral Byron and Count d'Estaing.

(Signed) CARLISLE.  
*New York, Oct. 11, 1778.*

*The following LETTERS give a further proof how clearly the late Earl of CHATHAM foresaw the Loss of the AMERICAN COLONIES.*

I was last night not a little surprised to hear his Lordship's positive declarations, as to Lord George Sackville's conduct at the battle of Minden. I know, says he, it was not from impressions of fear; I could prove it in a court of justice, to the satisfaction of a jury; it was the operation of that faction in the Cabinet, who did more to pull me down, than they would have done to ruin all the enemies of England. He was one of them. Much advantage was lost, which would have attended a compleat victory; but they did more, they rendered the grand secret expedition fruitless; for it was a matter settled, before the fleet left Portsmouth, that the army should not land on any part of France. While the late King lived, they could not displace me; when he died, it remained only a question with them, at what time it should be done.

*Hayes,*

Hayes August 15, 1774.

Dear Sir,

Inclosed I return to you the letter from your correspondent at New-York, for the perusal of which, I beg you will accept a thousand thanks. The bearer is a person of trust, and will convey it safely to your hands. What infatuation and cruelty to accelerate the sad moment of civil war! every step on the side of Government, in America, seems calculated to drive the Americans into open resistance, vainly hoping to crush the spirit of liberty in that vast continent, at one successful blow; but millions must perish there before the seeds of freedom will cease to grow and spread in so favourable a soil; and in the mean time, devoted England must sink herself,—under the ruins of her own foolish and inhuman system of destruction.

I wait with extreme impatience for the next accounts; the Proclamation for seizing the covenanters, denouncing an immediate issue. Perhaps the streets of Boston have already run with blood. If you receive any interesting intelligence, I shall esteem it a great favour to hear from you by the same method. I am,

With great esteem and consideration, dear Sir,

Your most obedient,

And most humble servant,

CHATHAM.

To Stephen Sayre, Esq.

Strausford Place, Oxford-street.

Hayes, August 28, 1774.

Dear Sir,

Many thanks for the communication of your honest correspondent's letter, returned herewith. It is plain, that Maryland cannot wear chains! Would to Heaven it were equally plain, that the oppressor, England, is

[\* It appears by the above, that this great man was denied the privilege of the post. It is well known, that letters to him were indecently opened, and often stopped at the Post Office. He complained, to no purpose. If any common baseness could blot the annals of the times, this would have done it.]

not doomed herself, one-day, to bind them round her own hands, and to wear them patiently! *Sæviior armis luxuria inarbit visumque ulciscitur orbem.* Happily, beyond the Atlantic, this poison has not yet reached the heart. When then will infatuated Administration begin to fear that freedom they cannot destroy, and which they don't know how to love? delay is fatal, when repentance will come too late. I fear the bond of union between us and America will be cut for ever. Devoted England will then have seen her best days, which nothing can restore again.

I am sorry to conclude with so gloomy a foreboding, in a case, where the most vulgar understanding may venture to prophecy. I am,

With great esteem and consideration.

My dear Sir,

Your most obedient,

And obliged humble servant,

CHATHAM.

To Stephen Sayre, Esq.

Strausford Place, Oxford-street.

Hayes, Dec. 24, 1774.

Dear Sir,

Soon after I had the pleasure of seeing you, I received the extracts from the votes and proceedings of the American Congress, printed and published by order at Philadelphia, and which had been withheld from me as the letters to others had been. I have not words to express my satisfaction, that the Congress has conducted this most arduous and delicate business, with such manly wisdom and calm resolution, as does the highest honour to their deliberations. Very few are the things contained in their resolves, that I could wish had been otherwise. Upon

*the whole, I think it must be evident to every unprejudiced man in England, who feels for the rights of mankind, that America, under all her oppressions and provocations, holds forth to us the most fair and just opening, for restoring harmony and affectionate intercourse as heretofore.*

I trust that the minds of men are more than beginning to change, on this great subject, so little understood; and that it will be found impossible for *freemen* in England, to wish to see three millions of Englishmen slaves in America. I am,

With great esteem, dear Sir,

Your most faithful,

And most obedient humble servant,

CHATHAM.

To *Stephen Sayer, Esq.*

*Stratford Place, Oxford-street,*

#### A PROCLAMATION

*By Lord CARLISLE, Gen. Sir HENRY CLINTON, and WILLIAM EDEN, Esq. Commissioners appointed by his Majesty, in pursuance of an Act of Parliament made and passed in the 18th year of his Majesty's reign, to enable his Majesty to appoint Commissioners to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces in North America.*

Whereas the merchants and traders of this city have, by their petition of the 14th instant, represented to us, that the great benefits which have accrued, as well to this port as to the British trade in general, from the Proclamation issued by us on the 26th September last, may become still more extensive, if the term for which the said Proclamation was made to be of force shall be farther prolonged: we being satisfied that the said representation is both just and reasonable, have found it expedient to declare, and do hereby declare and proclaim, that

our aforesaid Proclamation shall continue to be in force till the first day of June next ensuing.

And whereas, in pursuance of an Act of Parliament made and passed in the eighteenth year of his Majesty's reign, entitled, "An Act to enable his Majesty to appoint Commissioners, with sufficient powers to treat, consult and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces in North America." His Majesty hath been pleased to authorize and empower us, by Proclamation under our respective hands and seals, from time to time, as we shall see convenient, to suspend the operation and effect of any provisions or restrictions contained in a certain Act of Parliament, made and passed in the sixteenth year of his Majesty's reign, for prohibiting all trade and intercourse with certain Colonies therein named, and for other purposes therein also mentioned.

And whereas we are satisfied, as well by the representation of the merchants and traders of this city, as by our own observation and enquiries that the delays, difficulties, and uncertainties, attending the importation to this place and to Rhode-Island, from distant ports, or sundry necessary articles of stores and provisions, arise, in some degree, from certain restraints prescribed in the said Prohibitory Act, and furnish pretences to monopolizers, not only to raise the prices, but to impede the fair circulation of such stores and provisions, and thereby to distress the inhabitants.

We therefore, in order to encourage the importation of stores and provisions for the use of this city, and of Rhode-Island, and to lessen in some degree the delays, difficulties, and uncertainties above mentioned, see convenient to suspend, and do hereby suspend so much of

the aforesaid Act of Parliament, made and passed in the sixteenth year of his Majesty's reign, for prohibiting all trade and intercourse with certain Colonies therein named, as directs the importation of stores and provisions from the different ports of his Majesty's dominions, to the ports of New-York and Newport in Rhode-Island, for his Majesty's use, and for the use of the inhabitants of the said places, to be by licences in writing in the manner described in the said Act.

In consequence of this suspension, all vessels carrying such stores and provisions as might have been imported into the ports of New-York, and Newport in Rhode-Island, by the aforesaid licences, and having obtained legal clearances from any port in his Majesty's dominions, specifying the quantity and quality of the stores and provisions on board, may proceed to the ports of New-York and Newport in Rhode-Island, and there, during the continuance of this Proclamation, deliver their cargoes for his Majesty's use, and for the use of the inhabitants of this place and of Rhode-Island, in such manner as if the said Prohibitory Act had not been made, subject only to the temporary regulations of the said ports.

And we further declare that this suspension shall continue to be in force till the first day of June next ensuing.

And pursuant to his Majesty's commission, we hereby call upon all officers, civil and military, and others his Majesty's loving subjects to be aiding and assisting unto us in the execution of this our Proclamation and of all the matters therein contained.

Given under our hands and seals in New-York, 18th Nov. 1778.

(L. S.) CARLISLE.

(L. S.) HENRY CLINTON.

(L. S.) WILLIAM EDEN.

By their Excellencies command,

ADAM FERGUSON, Secreta y.

Vol. VII.

New-York, 20th Nov. 1778.

Early in the last month, their Excellencies his Majesty's Commissioners having been pleased to frame a Manifesto addressed to the Continental Congress, and to request that the Admiral would provide small vessels, bearing flags of truce, and commanded by naval officers, in order to carry the said Manifesto to the different Colonies, small vessels were provided accordingly, and sent; the officers sent to New-London and Elizabeth-town were received with their dispatches, and dismissed in a decent manner, but the Hotham sloop, commanded by Lieutenant Hele of the Preston, being sent with the dispatches addressed to the General Congress, and other assemblies at Philadelphia, was unfortunately wrecked on her passage up the Delaware; and after being three days on the wreck, (during which time two of the crew perished) Lieutenant Hele, and those who escaped with life, were confined by order of Congress in a miserable dungeon at Philadelphia; the Admiral being informed thereof, commanded me, as Commissary of prisoners, to demand the release of Lieutenant Hele, &c. which I did by the letter No. I, herewith sent you; fourteen days elapsed when I received a letter from the American Commissary, Beatty, (whereof the paper, No. II, contains an extract) accompanied by two resolves of Congress, No. III and IV. whereon it is imagined those gentlemen wish to justify their conduct respecting the imprisonment of the officer and crew of the Hotham sloop, bearing a flag of truce; on those resolves the Admiral has thought proper to write the letter No. V. to Congress, leaving the world to judge the propriety of their conduct. I am, Sir,

Your most obedient servant,

JAMES DICK, Commissary  
for navy prisoners, New-York.

A a

No. I.



## No. I.

Sir,

*New-York, October 27, 1778.*

Admiral Gambier having been informed that a pilot of the name of Welbank, lately employed in the Hotham sloop, sent with a flag of truce to the Delaware, is now closely confined in a dungeon at Philadelphia, and intended to be immediately prosecuted to death, on the pretence of his being a deserter from the American service, I am commanded to demand, in the most peremptory manner, that the said pilot may be immediately released, and sent hither, together with Lieutenant Hele, and the crew of the late Hotham sloop, whose imprisonment and detention is contrary to all faith and confidence, and in direct breach of the sacred regard held and maintained by all nations in respect to vessels bearing flags of truce.

I am, Sir,

Your most obedient servant,

(Copy)

JAMES DICK.

*Commissary Beatty.*

## No. II.

*Extract of a letter from Mr. JOHN BEATTY, Commissary-general for rebel prisoners, dated 14th November, 1778, to Mr. JAMES DICK, Commissary for naval prisoners at New-York.*

Herewith I transmit you two resolves of Congress that passed the 9th of November, which were in consequence of your letter to me of the 29th ultimo, previously acquainting you I had referred to that body for answer, as it alludes to a former resolve of the 16th of October, I thought proper to inclose that also, both which you will be kind enough to lay before Admiral Gambier, acquainting of him, that this is the whole of the answer I am directed to give him.

{A copy.}

## No. III.

*Resolve of Congress relative to seditious papers.**In Congress, 16th October, 1778.*

Whereas Congress on the 22d day of April, 1778, did resolve, that any man or body of men who should presume to make any separate or partial convention or agreement with Commissioners under the Crown of Great Britain, or any of them, ought to be considered and treated as open and avowed enemies to the United States. And whereas Congress have received intelligence that the Commissioners of the King of Great Britain are about to send, under the sanction of a flag certain seditious papers, under the name and title of Manifestos, to be distributed throughout these United States, with a view to stir up dissensions, animosities, and rebellion among the good people of these States: and whereas such practices are contrary to the laws of nations, and utterly subversive of the confidence necessary for those means which have been invented among civilized nations to alleviate the horrors of war, and therefore the agents employed to distribute the said papers are not entitled to protection from a flag, while engaged in the prosecution of such nefarious purposes;

Resolved, That it be recommended to the executive power of these United States to take up and secure in safe and close custody all and any person and persons who, under the sanction of flags or otherwise, may be concerned or engaged in the purposes aforesaid: and further, that the papers aforesaid be printed in the several Gazettes more fully to convince the good people of these States of the insidious designs of the said Commissioners.

Extract from the Minutes,  
(Signed) CHA. THOMPSON, Sec.

( Copy. )

A true Copy, examined,

A. SKINNER, D. Com. Prisoners.

No,

## No. IV.

*Resolve of Congress, relative to the detention of Admiral GAMBIER's Pilot, Lieutenant, &c.*

*In Congress, 9th November, 1778.*

The Committee, to whom was referred the letter of the 30th of October, of Commissary Beatty, and the papers enclosed, brought in a report, Whereupon,

Ordered, That Commissary Beatty be furnished with a Copy of the Resolutions of Congress on the subject of seditious papers circulated under the colour of flags; and informed that in the opinion of Congress there was good reason for confining the Pilot, Lieutenant, and crew of the vessel, mentioned in his letter; that if any objections are made to it on the part of the enemy, they must be discussed and settled on national grounds, and therefore that the peremptory requisition of Admiral Gambier will not be complied with.

Extract from the Minutes,

(Signed)

CHA. THOMSON, *Sec.*

A true Copy,

A. SKINNER, D. Com. Prisoners.

No. V.

*His Excellency Henry Laurens, Esq. and others, the Members of the Congress, Philadelphia.*

*Ardent, off New York, Nov. 15, 1778.*

Gentlemen,

When I made requisition for the immediate release of an officer belonging to the King, my master, ship-wrecked in carrying a flag of truce, an act sacred not only among all civilized nations, but held inviolable even among savages, it was no more peremptory than the singular conduct of your officer demanded, who, under such circumstances, (unauthorized, I was sure, by any liberal set of men, whatever my sentiments may be on the other parts of their conduct) could dare to put an officer and his crew into a common prison.

1st. It was an undue advantage taken of the calamity of a wreck, and that wreck a flag of truce.

2dly. The Resolution on which the Congress now wish to justify themselves, is subsequent in date to the fact in which they complain.

3dly. The Manifesto in question was addressed in the first instance to the Congress themselves, and could not possibly be seditious.

This procedure being against the universal law of nations, and repugnant to the common dictates of reason and humanity, I rely on the most ample redress from the Congress, in compassionate consideration of those innocent individuals who must suffer from retaliation.

I am, gentlemen,

Your most obedient humble servant,

JAMES GAMBIER.

( A Copy. )

[Gazette

*New York, Nov. 25.* At a late meeting of the merchants of this city, it was represented that the inhabitants were particularly desirous of expressing the high sense they entertained of the merit of his Majesty's Commissioners, and to explain their sentiments on the very important situation of affairs. For this purpose a numerous and respectable body of people were convened at Hicks's Tavern on Friday, the 20th instant, who chose a Committee, composed of twenty-three Gentlemen from the different Provinces to form and prepare an Address.

Who accordingly framed the following Address, which was presented to the inhabitants on the following evening, and received their unanimous approbation.

It was afterwards presented by the Committee to their Excellencies, who received them in the most polite manner.

To their Excellencies the Earl of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esquires, his Majesty's Commissioners, &c. &c. &c.

*The Address of the Inhabitants of the City of New York, and its dependencies, and others his Majesty's faithful and loyal subjects, late inhabitants of the revolted Colonies.*

May it please your Excellencies,

The departure of the Earl of Carlisle and William Eden, Esq. depriving us for the present of any further benefit that might arise from the extensive powers of the Commission with which you have been honoured, we beg leave to return to your Excellencies our unfeigned thanks for the care and attention which you have always manifested in granting us every indulgence and relief consistent with his Majesty's service, convinced that prudence and wisdom have equally dictated what you have granted and what deferred.

We only acquit ourselves of a common act of justice in acknowledging, that we have beheld with admiration that liberality of sentiment, that unexampled generosity which has distinguished all your negotiations; and although the overtures proposed by your Excellencies for reclaiming the revolted Colonies have not produced the effects which might have been expected, we rest assured that your representation will enable Parliament to adopt such measures as may effectually suppress the rebellion. And we wish to impress on your minds our anxious desire of being restored to the blessings of civil Government, which, so far from impeding military operations, will, in our opinion, rather facilitate and promote them: and as it cannot be the intention of Government to continue us in our present situation, we think that the sooner the civil establishment shall take place, the further its influence

will extend, and the better will it be prepared to receive under its protection all who are weary of that sanguinary system under which so many of our virtuous countrymen have suffered the loss of liberty, property, and life.

Your Excellencies, having been witnesses of the necessity there is for a free intercourse between Great Britain and the several garrisons that now are, or may hereafter be established on this continent, we trust you will recommend a law to be passed for giving permanence and security to such an intercourse, under such regulations as may be thought necessary for promoting his Majesty's service, and the ease and happiness of those loyal subjects who are immediately under his Majesty's protection.

We flatter ourselves that, at the same time your Excellencies represent the hardened obstinacy of the leaders of this rebellion, his Majesty may know that he has many faithful and loyal subjects, as well dispersed throughout the Colonies, as within these lines, who would cheerfully lay down life, and every human enjoyment, to restore to their country that free and happy form of Government under which they have lived, and which it is their ambition to hand down unimpaired to latest ages. The knowledge you have acquired by your residence in America, of the true state of the Colonies, will enable you to give the best information to his Majesty and Parliament on this head. And we cannot help suggesting to your Excellencies, as a matter of the greatest moment, the necessity there appears for giving every kind of aid and encouragement to the friends of Government on this continent; and we may venture, without presumption, to assert, that if the same pains had been taken for their support and encouragement which have been employed to reclaim the rebellious, the contest

contest ere this day had ceased to exist. There are thousands in every colony on this continent waiting, with anxious solicitude, for an opportunity of testifying their affection to the Constitution of Great Britain, it will therefore be her interest to cherish this happy disposition, and call it forth into action; and we trust the wisdom of Parliament will improve the occasion.

We should be wanting in our duty to our fellow subjects in Great Britain, did we not suggest this expedient by a free and open communication of our sentiments, and we wish to do it in a manner which will give no offence; it is the lesson of experience which we would impress on the minds of our fellow subjects, in opposition to those who basely assert that his Majesty has few real friends in America; our own feelings contradict the position, and reprobate its authors. Even while we speak, thousands are languishing in loathsome prisons for their attachment to that Constitution, while others meet death without repining, and glory in their fall. The history of past ages scarcely furnishes such instances of virtue and magnanimity; and we cannot but think the wisdom of Parliament will effect some expedient to stop this wanton effusion of human blood.

We trust that as the ambitious designs of the leaders of this rebellion are now become manifest, they will no longer receive that countenance and support they have hitherto experienced, but that their conduct will appear to all the world presumptuous, and without a parallel. The unnatural alliance they have formed with the Court of France, which has ever been at enmity with Great Britain, must infallibly unite the whole Empire in one common effort to render abortive a confederacy that threatens ruin to the civil and religious liberty of mankind. We should have been happy if the state of public affairs

had rendered it expedient for all his Majesty's Commissioners to have remained longer among us, and we cannot help regretting the departure of Lord Carlisle and Mr. Eden, while we sincerely wish them a safe and happy passage, and to your Excellencies the full enjoyment of those blessings which you have in vain endeavoured to confer upon others.

Signed by order and in behalf of a numerous and respectable body of the inhabitants of his Majesty's Colonies,

DAVID MATHEWS, President.

To which their Excellencies were pleased to return the following answer, which was read by Lord Carlisle, and delivered to the President:

Gentlemen,

It gives us satisfaction to find that our efforts in the execution of his Majesty's Commission have in any respect been beneficial to you, or appear to merit your approbation.

As we believe that the great objects of the war are, the re-establishment of the civil Constitution, and the preservation of his Majesty's faithful subjects in these Colonies, we cannot doubt that the King and Parliament will pursue such measures as are most likely in the speediest manner to obtain these important ends,

We shall be happy, if the observations we have made, or the reports which you authorize us to make respecting the number, loyalty, and zeal, of his Majesty's faithful subjects on this continent, can in any degree hasten or promote the completion of a purpose so interesting to every part of his Majesty's dominions.

As we flatter ourselves what we have done in the execution of his Majesty's Commission may not be altogether fruitless, so we hope that the separation which you are pleased to regret, will rather forward than impede the progress of the measures in which we have so far endeavoured to fill up the part allotted to us.

Boston,

*Boston, October 26.*

The alliance with France was a decisive stroke in favour of America ; it in part awakened Britain from her trance, and brought her to think of a peace with us. The apprehension of the Count D'Estaing's fleet coming on these coasts, occasioned the calling in of Lord Howe's cruizers, and opened the way for the arrival of our trade and prizes ; it obliged Clinton to evacuate Philadelphia, at least much earlier than he would otherwise have probably done ; it necessitated the British Court to send Byron's fleet to America, which gave France a superiority in the Channel. The presence of the Count D'Estaing in these seas, has prevented a timely detachment from the British fleet here for the defence of their West India Islands ; and may oblige their troops to evacuate the United States sooner and more completely than perhaps they intended, had America been destitute of such a friendly naval force. Must we not then seem an unwise people indeed, should we in compliance with the silly suggestion of the British Commissioners, act a perfidious part towards such an ally, and leaving ourselves without a friend in the world, bring France, in conjunction with Britain, upon our backs ; the former is our ally, not our master ; and is bound by interest, which never lies, to support our Independence. And how can either our civil or religious liberty be in danger, while we retain our own sovereignty ? Has not Britain always had allies of a different religion and form of government from her own ? And was not America, while part of her dominion, included in these alliances ? And did not both of us consider ourselves as the safer for such connections ? In short, it is an insult upon common sense to suppose the arguments of the Manifesto require a serious refutation.

Monday last a large company of gentlemen and ladies dined on board the Languedoc, at the invitation of the Count D'Estaing. The entertainment was highly elegant. A picture of General Washington at full length, lately presented to the Count by General Hancock, was placed in the center of the upper side of the room, the frame of which was covered with laurels.

*Extract of a letter from General Count POLASKI, to the President of the Congress, dated October 16, 1778.*

" Sir,

" For fear that my first letter concerning my engagement should miscarry or be delayed, and having other particulars to mention, I thought proper to send you this letter.

" You must know that one Juliet, an officer lately deserted from the enemy, went off to them two days ago, with three men whom he debauched and two others whom they forced with them ; the enemy, excited without doubt by this Juliet, attacked us the 15th instant, at three o'clock in the morning, with 400 men. They seemed at first to attack our pickets and infantry with fury, who lost a few men in retreating ; then the enemy advanced to our infantry. The Lieutenant Colonel Baron de Bose, who headed his men and fought vigorously, was killed with several bayonet wounds, as well as the Lieutenant de la Borderie, and a small number of soldiers and others were wounded. This slaughter would not have ceased so soon, if on the first alarm I had not hastened with my cavalry to support the infantry, which then kept a good countenance. The enemy soon fled in great disorder, and left behind them a great quantity of arms, accoutrements, bats, blades, &c.

" We took some prisoners and should have taken many had it not been

been for a swamp through which our horses could scarce walk: notwithstanding this we still advanced in hopes to come up with them, but they had taken up the planks of a bridge for fear of being overtaken, which accordingly saved them; however, my light infantry and particularly the company of riflemen, got over the remains of the plank and fired some volleys on their rear. The fire began on both sides. We had the advantage and made them run again, although they were more in number.

“ I would not permit my hunters to pursue any further, because I could not assist them, and they returned again to our line, without any loss at that time.

“ Our loss is estimated, dead, wounded and absent, about 25 or 30 men, and some horses. That of the enemy appears to be much more considerable. We had cut off the retreat of about 25 men, who retired into the country and the woods, and we cannot find them; the general opinion is, that they are concealed by the Tories in the neighbourhood of this encampment.”

In Congress, 17th October, 1778.

Ordered to be published,

HENRY LAURENS, President.

#### A M E M O R I A L.

*Delivered by Sir JOSEPH YORKE, to the DEPUTIES of the STATES GENERAL, on the 22d of November, 1778.*

Their High Mightinesses will have received, by the answer from Lord Suffolk, one of his Majesty's principal Secretaries of State, to the Count Wolderen, dated the 19th of October, the most convincing proofs of his Majesty's friendship towards them.

After an explicit detail of the hostile and unprecedented conduct of his Most Christian Majesty, which conduct occasioned the seeming irregularity of the Court of Great

Britain, in seizing the ships appertaining to neutral powers bound to the ports of France, the measure hath been fully explained on the principles of necessity and self-defence, against an enemy who hath ever acted covertly and by surprize— The moderation and equity of the King my master would not permit him to disregard the complaints of the subjects of their High Mightinesses, from the moment there appeared a possibility to renew them. It is for this reason that his Majesty has declared his intention to release the Dutch vessels, under conditions the most amicable and the least disadvantageous, as far as circumstances will admit. The war, however, still continues, and the active endeavours of the enemy to push matters to extremity, obliges his Majesty to guard against the danger. He wishes, nevertheless, to involve his good neighbours and allies as little as possible, and although France has even threatened to invade his Majesty's dominions and territories, having, for that purpose, assembled numerous armies on their coast, the King, my master, still forbears to claim such succour from their High Mightinesses as they are bound to grant, by the most explicit and solemn treaties, whenever such succours may be on his part required, namely, the treaty of 1678, and the separate article of 1716; his Majesty confines himself for the present solely to lay before their High Mightinesses the state of affairs, the motive of his conduct, and the necessity he finds himself under to take measures for his own defence, and the preservation of his dominions.

It is only with this view that I am ordered by his Britannic Majesty, to propose to their High Mightinesses a conference, to consider of the most proper means towards an amicable regulation of such a mode of proceeding in future, respecting such

articles

articles as his Majesty, without yielding to his enemies cannot possibly suffer them to be supplied with. It cannot have escaped the attention of their High Mightinesses, that Lord Suffolk in explaining his Majesty's sentiments to Count Welderen fully demonstrated the King's sincere desire to pay the strictest regard to faith of treaties, as far as they do not directly tend to expose him to imminent danger. It is by no means his intention, nor is it his wish, to cause the least interruption to the commerce of Holland, usually carried on with France, excepting warlike and naval stores, and even this restriction shall be enjoyed with the utmost equity, and I am confident, with every possible degree of generosity.

I therefore, in obedience to my instructions, have taken the liberty to request an audience to know whether, in consequence of the answer delivered to Count Welderen, their High Mightinesses are resolved to open a conference with me? On my part, I intreat you to assure their High Mightinesses, that as well from my being authorised by his Majesty, as from my being personally disposed, after a residence in this country of 27 years, their High Mightinesses will find in me every readiness to attend to their complaints, and regard for their welfare, and I flatter myself that in the course of the conference I shall convince them, that whatever forced and affected turn may have been given to the conduct of my Court, it has been founded on the justice, moderation, and the necessity of our situation. In expectation of the decision of their High Mightinesses on what I have laid before them, I trust that their known equity and friendship towards his Majesty, agreeable to their recent assurances by their Envoy, will prove sufficient not to authorise their subjects to carry naval stores, under convoy, to France, as bring

the most dangerous objects to the security of Great Britain.

### A M E M O R I A L

*Presented by his Excellency the Duke de VAUGUYON, Ambassador of France to the States General of the United Provinces of the Low Countries.*

The opinion which the King my master hath entertained, that your High Mightinesses, animated with the desire of perpetuating the perfect harmony which subsists between France and the States General will, in the present circumstances, scrupulously adhere to the principles of absolute neutrality, has induced his Majesty to comprehend the United Provinces in the regulation which was made in the month of July last, concerning the commerce and navigation of neutral powers.

His Majesty has still less reason to doubt the perseverance of your High Mightinesses in these principles, after so many assurances given in claiming their captures, which are the foundation of guarantee of the solid repose and prosperity of the Republic. But his Majesty, notwithstanding, wishes to procure on this head a more certain assurance, and it is with this view that his Majesty has ordered me to demand of your High Mightinesses a clear and specific explanation of your ulterior determinations, and so to state them, that his Majesty may be enabled to judge whether they tend to maintain or annul the reciprocal regulations which his Majesty would wish to consolidate.

The better to explain his Majesty's views and intentions to your High Mightinesses, I have the honour of notifying to you, that the King my master flatters himself, that your answer to this Memorial will preserve to the flag of the United Provinces, all the liberty which of right belongs to them as an Independent State, and to their commerce all the respect  
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which is due by the law of nations, and the faith of treaties.

The least derogation from those principles of neutrality you have possessed, will betray a partiality, the consequences of which will incur the necessity of putting an end to not only the advantages which his Majesty promises to your flag in case of a strict observance of neutrality, but also the essential favours and benefits which the commerce of the United Provinces enjoy in all the ports of his kingdom.

This Memorial is presented without any other motive, than to shew the good will and affection of his Majesty for your High Mightinesses.

*Hague, Dec. 8, 1778.*

*To the free and virtuous Citizens of America.*

Friends and Countrymen,

The happiness or misfortunes, the benefits or injuries, of an individual, have generally no claim to the public attention. I do not therefore address you on my own account, but on yours. I do not wish to prejudice any man, but to serve my country. I was content, even while sacrificed for the aggrandizement of others; but I will not see an individual, or family, raised upon the ruins of the general weal. What I write to you, I would have said to your representatives; their ears have been shut against me, by an attention to matters, which my respect for them induces me to believe were of importance. While it was safe to be silent, my lips were closed. Necessity has opened them, and necessity must excuse this effort, to serve, by informing you.

What I have done, and what I have suffered, from the moment I left my native shore, until I was honoured with one colleague, and saddled with another, is needless now to repeat; I have told it substantially to

VOL. VII.

Congress, and as their servant I leave it with them. In September, 1776, they appointed the Honourable Benjamin Franklin, Arthur Lee, Esqrs. and myself, their Commissioners at the Court of Versailles, previous to which, I had the honour to be the Commercial and Political Agent of America in Europe. My venerable friend, Dr. Franklin, arrived in Paris, in December, 1776; and Arthur Lee, Esq. a few days after him. This gentleman, by agreement among the Commissioners, went to Spain in the month of February following, to negotiate your interest there, and having by a wanton display of his errand, given great and just cause of distrust to the Court of Madrid, he returned in the beginning of April, not having gone further than the city of Burgos. The reasons of that Court for restricting him to this place, with many other matters important for you to know, may perhaps appear in the course of these letters.

While he was on that journey, Dr. Franklin received a commission to go thither; but his health, the season, and other circumstances, prevented his departure until he was superseded. Many reasons concurred, to convince the Commissioners, that Arthur Lee, Esq. could no where be less serviceable than at Paris, and therefore in May, 1777, he set off to make the tour of Germany, in order to arrive at Berlin in safety. At this place, he was so unfortunate as to do nothing, unless indeed we may give the name of business to the loss of his papers, by which a discovery was made of the secrets of his colleagues, and the British Ministry enabled to counteract the measures taken for your benefit. In August he returned to Paris, and shortly after received his appointment as Commissioner to the Court of Madrid, with reservation, nevertheless, of his former commission, to that of

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Versailles.



Verfailles. Here I must leave him to take notice of another gentleman of the same family.

In February, 1777, I received a notification of the appointment of William Lee, Esq. to be one of your Commercial Agents in Europe, of which I gave him notice. As your commercial affairs were, at that time, in such a state, as to require much attention and care, I pressed this gentleman, then in England, to come over immediately and execute his office, but heard nothing from him till the month of June, when he arrived at Paris. At this place he continued till about some time in August, when we went to Nantz. There he was loudly called on to regulate certain affairs, which he prudently declined, lest, as he observed, his property in England should be affected. In September or October, he returned to Paris, and there received his appointment of Commissioner to the Courts of Vienna and Berlin. He continued, nevertheless, inactive at Paris, until the month of December, carefully concealing his appointments, which might, indeed, have militated against his office of Alderman of the city of London, which he had then, and probably does still retain. When the news of General Burgoyne's defeat and surrender arrived, it produced a revolution in the minds of many, and among others inspired your Commercial Agent, and Political Commissioner, the Honourable William Lee, Esq. with some degree of activity in your favour.

That I may not be under the necessity of mentioning this gentleman again, I add here, that he hath since

gone to Vienna, having first appointed sundry Commercial Agents for you, at the several ports, and in one instance removed the \* person who had faithfully done your business for two per cent. in favour of another, who is to receive five per cent. of which, as well as of the like commission at other places, Mr. Lee receives a share for superintending at Vienna the business on your account, a thousand miles off from his place of residence.

My respect for the Honourable the Congress, and of consequence for its members, will lead me to treat with all possible tenderness their friends, dependents, and connections, and therefore as the Hon. Arthur and William Lee, Esqrs. have two brothers in that body, I shall make no other observation on the fruitful topic of their manners and deportment than this, that unfortunately for you, those gentlemen so highly elevated, and so widely entrusted, gave universal disgust to the nation whose assistance we solicited.

Having thus introduced you to your great servants, I proceed to make you acquainted with some other personages, which it is of consequence for you to know. I am sorry to say, that the Hon. Arthur Lee, Esq. was suspected, by some of the best friends you had abroad, and those in important characters and stations. This arose from his connection and acquaintance with Lord Shelburne, who had been his patron in England, and to whom it was, from many circumstances, supposed he disclosed your secrets. These suspicions, whether well or ill founded, were frequently related and urged to Dr. Franklin

\* Mr. Williams, a native of Boston, a gentleman greatly esteemed in France for his knowledge and integrity in mercantile transactions, as well as for his agreeable and engaging manners, who being well acquainted with the language and commercial rules and customs in that kingdom, had rendered very important servitudes to his country, in his department. I shall mention this gentleman more particularly in the course of my future letters.

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and myself, and joined to his undisguised hatred of, and expressions of contempt for, the French nation in general, embarrassed us exceedingly, and was of no small prejudice to your affairs.

In the summer of 1777, a correspondence took place between a certain Dr. Berkenhout and the Hon. Arthur Lee, Esq. on political subjects. The Doctor proposed in general terms an accommodation, and after all obstacles arising from our supposed want of confidence in him, and the like, were removed, the Doctor went so far as to propose a meeting with Mr. Lee; but these dispositions were deranged, by the news of General Howe's arrival in this city. Mr. Lee shewed to Dr. Franklin and myself a part of this correspondence, and in order to give the greater weight to Dr. Berkenhout's remarks, gave us to understand, that the Doctor was in the confidence of the British Ministry.

Immediately on the arrival of the news of General Burgoyne's surrender, a treaty with France seemed to the British Ministry more near and more probable; your Commissioners, therefore, were continually sounded, indirectly, as to their dispositions for reconciliation. About this time Mr. Lee's Secretary went to and from London, charged with affairs which were secret to your other Commissioners. Conjectures were formed, it is true, and with the more reason, as Mr. Lee was dragged into the treaty with the utmost reluctance. It was agreed that this important matter should be kept a profound secret, yet a few days from signing, it was pointedly declared in the House of Commons, by the Hon. Charles Fox, Esq. the friend of Lord Shelburne; this gave additional weight to the other circumstances. Add to this; that the attention of Dr. Franklin and myself to your service, gave rise to many bickerings and disputes between Mr.

Lee and us; the consequence was, that insinuations and misrepresentations to my disadvantage, were transmitted across the Atlantic, and stored up here for purposes which will hereafter appear. On the fourth day of March I received in a cover, from one of the Committee of Foreign Correspondence, the following resolution:

*In Congress, December 8, 1777.*

“Whereas it is of the greatest importance that Congress should at this critical conjuncture be well informed of the state of affairs in Europe. And whereas Congress have resolved that the Hon. Silas Deane, Esq. be recalled from the Court of France, and have appointed another Commissioner to supply his place. Ordered, That the Committee for Foreign Correspondence write to the Hon. Silas Deane, and direct him to embrace the first opportunity of returning to America, and upon his arrival to repair with all possible dispatch to Congress.”

And having placed my papers and your's in safety, I left Paris the 30th, to embark for my native country on board that fleet, which your great and generous ally sent out for your assistance, in full confidence that I should not be detained for any considerable time in America on the business I was sent for; just before my departure I was informed of a matter, which, as it may tend to throw light on other circumstances, I shall simply relate. A gentleman of character told me, that his correspondent in England, had seen a letter from the Hon. Arthur Lee, Esq. dated the very day on which the treaty was signed, (though it was not finished until near nine o'clock at night,) in which were nearly these words.—“This day the new partnership was signed and sealed, and the new house will begin to proceed to business immediately, if the old house means to have any  
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thing to do further, and means honestly, they must make their proposals immediately."

When I arrived at this place, I solicited an audience of the Congress, which, after many delays that some circumstances rendered unavoidable, I obtained. I was twice heard before that honourable body, viz. on the 9th and 21st of August, when I gave them as good a general account of the matters entrusted to me as the time would permit. It being my intent to deliver singly, and by itself, a history of those affairs, and then to mention from time to time, for their consideration, such things as my duty to you should require. But after the two audiences, I have been unable to obtain a third, although I have continually solicited it, and written several letters for that purpose, which, together with the answers I have received, and the several intermediate transactions, as far as the public service requires it, shall in due time, with the utmost candour on my part, be laid before you; without deviating in the least from that respect which I have always professed, and which I feel for that honourable body; and lest any thing that I said, or may say, should be misinterpreted, I do hereby again repeat my veneration for your representatives, excepting always those, if any such there be, who with partial interested views, and sinister purposes, have endeavoured to sacrifice your interest, as well as my reputation. I come now to some other things, without which I might perhaps have continued still longer silent. In September last I was informed, that Dr. Berkenhout, who I have mentioned above, was in gaol in this city; I confess I was surprized, considering what I have already related, that this man should have the audacity to appear in the capital of America. I immediately set myself about the measures which I conceived necessary

to investigate his plans and designs; concluding he was like to continue in these quarters for some time. But what was my astonishment when a few days after I was informed, that he was gone back to New-York. There was in this something which was alarming, that a person, who from every appearance was sent out as a spy, should be sent back with the knowledge he had been able to collect, was what I could not comprehend, and therefore, in order to set on foot an enquiry, I published the queries in Mr. Dunlap's paper of the 10th of October, which had lain by me some days, in hopes that those in authority would have taken measures to prevent the necessity of it.

To these queries, no satisfactory answer ever was, or probably ever will be given. At length that Providence in whom we have put our trust, hath, by a concurrence of incidents, unfolded to me the transaction, which was as follows:—Dr. Berkenhout came from New-York, passed the lines, and came to this place, under the pretence of important business with Congress; when he arrived in this place, he made no application to that body, but to the Hon. Richard Henry Lee, Esq. Doctor Berkenhout hath since said, that he had letters to that Hon. Member of Congress, from the Hon. Arthur Lee, Joint Commissioner of the United States, at Versailles, and sole Commissioner of those States at the Court of Madrid. Be this as it may, it is certain that the Doctor had several meetings with the Hon. Richard Henry Lee, Esq. It is also certain, that when the Doctor returned to New York, he ventured to assure the British Commissioners, that by the alliance with France, America was at liberty to make peace, without consulting her ally, unless England declared war, and it is certain that the Hon. Richard Henry Lee, Esq. constantly and pertinaciously maintained this doctrine.

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After the Doctor had been some few days in this town, he became suspected by the Hon. the Executive Council of this State, who determined to apprehend him. When this matter was mentioned to the Hon. Richard Henry Lee, Esq. he declared the suspicions against him were base and groundless, and that he was a good friend to America; he was nevertheless put into goal, and there, notwithstanding the precautions which were supposed to have been taken, he did see sundry persons. He was permitted afterwards by the Executive Council to return to New York. I have been told, that even when he was dismissed, some gentlemen of that board were of opinion that he was (as in fact he was) an emissary from the British Ministry. When the Doctor returned, he carried with him letters, among others one for Governor Johnstone. He declared he had got what he wanted by his journey. He advised the sending other emissaries throughout those States, to discover the designs and dispositions of the people, and the like. Governor Johnstone, on the Doctor's complaining that this matter had not before been adopted, promised that he would urge it to the British Ministry. He advised also that Lieut. Col. Conolly should be by all means sent to the assistance of Col. Butler, and that they should make a point of obtaining his release, and for that purpose if it was refused, that they should call in all their prisoners, who were out on parole, which they have actually since done.

It may not be amiss here to give you the following short account:—The Doctor, on his return to New York, fell into company with a person going into the city on private business, he mistook this person for a friend of Government (as certain persons call themselves), and, after landing at Staten Island, spoke his mind freely on the above, as well as

other subjects. This person afterwards lodged in the same house with the Doctor, and heard his conversation with Governor Johnstone. Particular circumstances forbid my mentioning the name of this person at present; it is sufficient that the information was voluntarily given, and before several persons of the first rank and character in this city. Now then, my countrymen, let me state in short the reasons for giving you those facts. I have thought, ever since the violences and despotism of Great Britain first drove the dispute to the issue of arms, that an alliance with France was for your real interest and happiness.

I was, as far as in me lay, a willing instrument to promote it; I now see what I have for some time suspected, a design to lead you into a breach of your national faith and honour, solemnly pledged, and thereby most probably, to the eventual loss of that liberty, which you have purchased at so great an expence of blood and treasure. I see also a design to lay waste your frontiers, by a most cruel and barbarous war, and to fix in the different capitals emissaries to betray your secrets, and by every other means, which either a casual or designing inattention to them, may put in their power to aid and bring about those designs. I think it therefore my duty to put you on your guard.

When I mention, that the Hon. Arthur Lee, Esq. your Commissioner at the Court of Madrid, and one of your Commissioners at Versailles, and the Hon. William Lee, Esq. your Commissioner at the Court of Vienna, and your Commissioner at the Court of Berlin (which Courts are now actually at war with each other) and also that he is your Commercial Agent in Europe, and that they have two brothers in Congress, I do not speak from any pique, against them, for, although they are  
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my personal, and lately my avowed enemies, yet their conduct on many occasions hath been such, that to honour them with the emotions of anger, would be degrading to that character which I hope always to maintain. My object is, merely to rescue your reputation. Foreigners are not perhaps so clear sighted as they ought to be, and cannot therefore discern in those your Commissioners that degree of merit, which has led your representatives to confer on them such various and incompatible offices. And being equally ignorant of the wise and equitable manner in which your business is conducted, they rashly conclude, that appointments, of which they cannot discern the propriety, are to be attributed to the influence of intrigue and cabal. I have also a farther view in writing this letter, it is to put those gentlemen, who in some instances have carried not only their suspicions, but their aspersions against some of your firmest friends very far, on their guard against those old obligations and attachments which may ruin your affairs, and to be particularly careful whom they recommend, and how. And would warn them, from past experience, against future danger, and entreat them not too hastily, and

too rashly to impart your secrets to improper persons, particularly as Great Britain has not as yet acknowledged your Independence, and offered a treaty, the cultivation of an interest at that Court, cannot compensate the sacrifices which must be made to acquire it.—Lastly, my countrymen, whilst I reverence your unsuspecting confidence, I would inculcate on your minds the artifices of your foes, and lead you to beware, and be on your guard.

I am your friend and countryman, and I can say, with truth, and with pride, your faithful servant,

Philadelphia, Nov. 1778.

S. DEANE.

*New-York, Dec. 22.* Richard Henry Lee, a member of Congress, published a piece in answer to Mr. Deane's address to the citizens of America, wherein he requests the public to suspend their decision until the charges exhibited against his family are properly investigated. To this performance Mr. Silas Deane has given a rejoinder, intimating, that the Congress being now disposed to listen to his complaints, he has at present no occasion for the mediation of the people, and for that reason has resolved not to publish, at present, any more letters.

*List of King's Ships and Vessels lost and taken since the Commencement of the War.*

	Guns.	
The Actæon	— 28	Burnt in the attack of Fort Sullivan.
Augusta	— 64	Burnt at Mud-fort in the Delaware.
Mérelia	— 18	Ditto.
Flora	— 32	} Burnt and sunk, together with 27 fail of English transport ships, at Rhode-Island.
Lark	— 32	
Juno	— 32	
Orpheus	— 32	
Cerberus	— 28	
Falcon	— 18	
King's-fisher	— 18	
Two row gallies, 4 guns each	} 8	
Liverpool	— 28	Run on shore on Long-Island, and lost.
Mermaid	— 28	Chaced on shore near Cape Henlopen.

Syren

		Guns.	
Syren	—	28	Destroyed by the Americans at Point Judith.
Repulse	—	32	Never heard of.
Pomona	—	18	Lost in the West-Indies.
Box	—	28	Taken by the French fleet, and carried into Brest.
Minerva	—	32	Taken by the French in the West-Indies.
Active	—	28	Ditto.
Lively	—	24	} Taken in the Bay, and carried into Brest.
St. Helena	—	18	
Zephyr	—	16	Taken in the Mediterranean.
Terpsichore	—	20	Taken in the West-Indies.
Senagal sloop	—	16	Taken by the French in America.
Drake	—	20	Taken by an American privateer of 22 guns, commanded by Paul Jones.
Alert cutter	—	10	By the Brest fleet.
— armed schooner	—	14	Ditto.
Thunder bomb	—	8	By D'Estaing.
Somerset	—	64	Lost on the coast of New-England.
Zebra sloop	—	18	Lost near Egg-harbour.
Savage sloop	—	16	Lost near River St. Lawrence.
Hinchingbrook	—	12	Lost off Charles-town bar.
Cruizer	—	16	Lost off Cape Fear.
Outer sloop	—	16	Lost off Florida.
Alarm armed vessel.	—		
Cupid	—	14	Lost off Newfoundland.
Hotham sloop,	—		Lost in the Delaware.

*Copy of a petition of the West-India Planters and Merchants, presented to the King, Dec. 16, 1778.*

*To the King's Most Excellent Majesty. The humble address and petition of the Planters and Proprietors, in your Majesty's Sugar Colonies, and of the merchants trading to, and connected with the said Colonies, whose names are hereunto subscribed, in behalf of themselves and others interested therein.*

*Most Gracious Sovereign,*

Weyour Majesty's most dutiful and loyal subjects, the Planters and Proprietors, in your Majesty's Sugar Colonies, and the Merchants trading to, and connected with, the said Colonies, whose names are hereunto subscribed, in behalf of ourselves and others interested therein, humbly approach your Royal presence, with all assurances of fidelity to your

person and Government; and, with the utmost humility, represent to your Majesty:

That, on the commencement of the unhappy divisions between this kingdom and the Colonies in North America, your petitioners, impressed with a proper sense of duty to your Majesty, and of the circumstances of their situation, did represent to your Majesty's Ministers, their apprehensions of the dangers, and distresses to which the sugar-islands were necessarily exposed.

That the fatal consequences, thus apprehended by your petitioners, have been, in a great measure, unhappily experienced, during the three last years, by a general scarcity of provisions in all the islands, in some of them nearly approaching to famine, and by a want of almost every article essential to the culture of their plantations; so that their estates

estates and property have been considerably impaired in value, and continue exposed to further diminution; whilst their effects have been captured on the high seas, to a very great amount.

That, although your petitioners had early and anxiously represented to your Majesty's Ministers, the necessity of an adequate protection for the islands, they have now to lament, from the loss of Dominica, and the imminent danger of the other islands, that the frequent applications which they have made for protection, have not had their desired effect.

That your petitioners are now in the most anxious state of suspense, from the delay of the succours sent from New-York to the Leeward Islands, which have been so unseasonably afforded, as to leave all those islands exposed to the further hostile attempts of the enemy. And, though the assurances of protection, given to your petitioners by one of your Majesty's Ministers, in some measure tend to remove their immediate apprehensions, yet they appear too general and precarious, to quiet their minds, as to the future safety of the Leeward Islands;—whilst the important island of Jamaica has been almost left to its own efforts; which, from the comparatively small number of white inhabitants, are become particularly severe, and joined to the suspension of culture, necessarily consequent on military duty, must, in time, prove ruinous: a naval force being the first and principal security of the islands in general.

Labouring under the weight of these calamities, your petitioners cannot avoid further humbly expressing to your Majesty, their melancholy apprehensions, lest the desolating system which appears to them to have lately been denounced by your Majesty's Commissioners, in North America, may be productive of consequences to your petitioners,

at present not fully foreseen, nor sufficiently attended to, by your Majesty's servants.

Your petitioners would wish, Sire, to suppress those emotions, which the calamities of war, thus aggravated by indiscriminate and unbounded desolation, must naturally create in their minds: and, confining themselves to the immediate object of their own preservation, they humbly submit to your Majesty's wisdom, that the late declaration of your Majesty's Commissioners, if carried into effect, may provoke the severest retaliation from an irritated people, intimately acquainted with the situation of the islands, their weak and accessible parts: and that the ravages, which may be committed, even by a small force, may be sufficient to reduce any island to so waste a condition, as not to admit of its being restored to its former state, without an enormous expence, and the labour of years.

*Most Gracious Sovereign,*

We feel ourselves indispensibly called upon, to lay this representation before your Majesty, the constitutional guardian of the property of all your subjects; that we may not appear to have neglected our duty, by omitting to apprise your Majesty of these important and melancholy truths.

Thus circumstanced, we rest our present security on your Majesty's parental care of the interests of your subjects at large, for a sufficient protection against the dangers that threaten the property of your petitioners, in the West India Islands: and we humbly pray, *your Majesty* will be graciously pleased to take into your royal consideration the unavoidable result of these calamities, which we apprehend must extend themselves to your Majesty's revenue, to your maritime power, and to the manufactures, commerce, and wealth, of your subjects in general.

*An Abstract of the Continental Debt of America, in the mercantile form of an account. [From the Pennsylvania Gazette, printed in Philadelphia while the British troops were in possession of that city.]*

Dr. The UNITED STATES of AMERICA, in account with the CONTINENTAL CONGRESS.

1777.

Dec. 31. To amount of several emissions of Continental paper dollars, as appears by the resolves of Congress, and certificates from the Committees appointed for superintending the press, &c. amounting in the whole to  
115,000,000 dollars.

To amount of twenty millions of paper dollars, borrowed on the credit of Congress in the several United States, as appears by certificates from the Loan Offices erected for that purpose,  
20,000,000 dollars

The interest on this loan being fixed at six per cent. per annum, till repaid by Congress, these two sums consolidated, make a clear apparent Continental debt of one hundred and thirty-five millions of dollars, which, at 7s. 6d. per dollar, amounts to

£.50,625,000 0 0  
Dollars, 135,000,000  
Pounds, 50,625,000 0 0

1777.

Per Contra, Cr.

Dec. 31. By amount of the several quotas of the States, the whole being liquidated upon a presumption that the inhabitants of the Thirteen United States amount to three millions, and therefore each State stands chargeable in proportion to the supposed number of its inhabitants, viz.

	Inhabitants.	Dollars.	At 7s. 6d. is
New Hampshire having	150,000, pays	6,750,000	£.2,531,250
Massachusetts-Bay, —	400,000,	18,000,000	6,750,000
Rhode-Island, —	60,000,	2,700,000	1,012,500
Connecticut, —	150,000,	6,750,000	2,531,250
New-York, —	250,000,	11,250,000	4,218,750
New-Jersey, —	120,000,	5,400,000	2,025,000
Pennsylvania —	350,000,	15,750,000	5,906,250
Delaware Government, —	35,000,	1,575,000	590,625
Maryland, —	320,000,	14,400,000	5,400,000
Virginia, —	580,000,	26,100,000	9,787,500
North-Carolina, —	300,000,	13,500,000	5,062,500
South-Carolina, —	225,000,	10,125,000	3,796,875
Georgia, —	60,000,	2,700,000	1,012,500
	<u>3,000,000,</u>	<u>135,000,000</u>	<u>£.50,625,000</u>

Dr. The whole property, real, personal, and mixed, of the Thirteen United States, their new account with the Continental Congress.

1778.

Jan. 1. To amount of last year's account £.50,625,000

To amount of interest money due on the sum of twenty millions of dollars borrowed on public loan in the several States at six per cent. per annum, as mentioned in the general account above, the annual interest on the whole sum being  
£.450,000

To the amount of five millions of dollars ordered to be called in and collected by quarterly payments, agreeable to an assessment made by a resolve of Congress this present year, 1778  
£.1,875,000

VOL. VII.

C c

To



To the amount of paper money emitted by the several States on their private account, which being estimated in proportion to the emissions of £ 515,000 made by Pennsylvania, the whole must amount to

£.4,120,000
Total, Continental debt
£.56,620,000
Annual interest
£.450,000

1778.

Per Contra. Cr.

Jan. 1. By the whole value of all kinds of property in the Thirteen United States of America, the value whereof being estimated by a calculation made (agreeable to the standard adopted in Congress) upon the comparative worth of Pennsylvania, viz,

The annual rent or income of the taxable property in Pennsylvania having been rated by the assessors upon oath in the year 1773, at £.346,666 13s. 4d. (and no part of America can be supposed to have grown richer since that time) this annual income being estimated at twelve years purchase, the value of property in Pennsylvania will stand at £.4,160,000, and Pennsylvania being rated by Congress at nearly one eighth part of the value of the whole Thirteen United States, their value will stand at £.33,280,000 which leaves a balance of debt, over and above the whole value of the States, amounting to £.23,340,000. But if it be supposed that the taxable property in Pennsylvania was rather under-rated by the assessors, and we set the amount of £.400,000, and this be estimated at sixteen years purchase, then the value of Pennsylvania will stand at £.6,400,000, and the value of the whole Thirteen States will be £.51,200,000

By balance of debt, being more than the whole value of property in the Thirteen United States

£.5,420,000
Total, Continental debt
£.56,620,000
Annual interest
£.450,000

[Here the American newspaper ends.]

A few observations on the preceding account are necessary for the information of the English reader; because it is from such accounts as this that the people of England have been misled in their opinions of the strength, resources, and condition of the Americans; nor has the English Government itself been free from this imposition.

First, This account neither states the *resolves* of the Congress, nor the certificates of the Committees, charged with the superintendance of printing the paper bills; and, therefore, here is no account of the *actual emissions*. The resolutions would shew the extent to which the emissions may or shall go; and the account of printing would certify how many paper bills are prepared; but the *actual emissions* depend on future operations.

Secondly, until it can be ascer-

tained how far the account of the 20,000,000 of dollars, said to be borrowed by the Congress of the several States, is mixed with the former account, this article is totally inadmissible.

Thirdly, as to reckoning the debt at 7s. 6d. the dollar, we might as well, now that 100l. in our funded debts is worth only between 50l. and 60l. reckon our debt at par.—Will it, or can it, ever be paid at par?—The paper dollar of America is to the silver Mexican dollar as 15 to 1; that is but a fifteenth part of 4s. 6d. or 3d.  $\frac{2}{3}$  nearly, instead of 7s. 6d.

So much as to the *fund* of the account on one side.

As to the mode of reckoning the value of the property of the whole country; we, in England, might just as well reckon the value of the property

perty in England by the land-tax at 4s. in the pound; and say, that if 4s. in the pound on the rent raises 2,000,000*l.* then the whole rent of Great-Britain is but five times that sum, or 10,000,000*l.* whereas the rent of England *alone* is above 40,000,000*l.*

Upon a like delusive principle is this American calculation made. The whole property of Pennsylvania, for instance, is reckoned at

4,160,000*l.* whereas Mr. Penn's property *only*, was stated by himself, above forty years ago, at *ten* millions sterling. There is authority for this fact. In the Appendix to Dr. Franklin's Historical Review of the Constitution and Government of Pennsylvania, printed in 1759, page 431, is Mr. Penn's own estimate, drawn up by himself: and the following is a copy of it:

	Pennsylvania Curr.
1 Lands granted since my arrival are very near 270,000 acres, of which not 10,000 have been paid for; more than of old grants are remaining unpaid, is	£. 41,850 0 0
2 The rent on the said grants is 550 <i>l.</i> sterling a year, which at 20 years purchase, and 165 per cent. exchange, is	18,150 0 0
3 The old rent, 420 <i>l.</i> a year sterling, at ditto, is	15,246 0 0
4 Lands granted between roll and the first article are 570 <i>l.</i> a year sterling, which at 20 years purchase, and 165 per cent, is	18,810 0 0
5 To the difference between 420 <i>l.</i> and 570 <i>l.</i> for arrearages of rents which may be computed at half the time of the other arrearages, that is 11 years at 165 per cent.	2,722 10 0
6 Ferries let on short leases, the rents being 40 <i>l.</i> a year are worth	1,000 0 0
7 Lands settled in the Province for which no grants are yet passed, except a few since the above account was taken, not less than 400,000 acres, which at £.15 10 0 amounts to	63,000 0 0
The rent at an half-penny an acre is £.833 6 8 a year sterling, reckon'd as above is	27,500 0 0
	£. 188,278 10 0

## M A N O R S.

1 <i>Conestogoe</i> , 65 M. from the city, 13,400 acres, at 40 <i>l.</i> per H.	5,360 0 0
2 <i>Gilbert's</i> , 25	3,200 70 2,240 0 0
3 <i>Springfield</i> , 12	1,600 75 1,200 0 0
4 <i>HIGHLANDS</i> , 35	2,500 30 750 0 0
5 <i>Springtown</i> 37	10,000 35 3,500 0 0
6 <i>Vincent's</i> , 40	20,000 35 7,000 0 0
7 <i>Richland's</i> 35	10,000 15 1,500 0 0
9 About 20 tracts in the several counties, mostly 500 acres each; reckoned 10,000 at 40 <i>l.</i>	4,000 0 0
{ <i>Springet's-bury</i> , 207 acres at 5 <i>l.</i>	1,035 0 0
8 { On the north side of the town 50 30	1,500 0 0
{ Back of the said land 15 10	150 0 0
9 Lot in the bank at the north end of the town, 200 feet at 3 <i>l.</i>	600 0 0

Carry over £.217,113 10 0

Pennsylvania Curr-

	Brought over	£.	s.	d.
10 A front and bank lot between Vine and Sassafras-street, 102 feet at 6 <i>l</i> .		217	113	10 0
11 Bank lot between Cedar and Pine-street, 204 feet at 3 <i>l</i> .		612	0	0
12 Front lot on the side of Cedar-street, 102	3	306	0	0
13 Ditto between Cedar and Pine-street, 162	2	320	0	0
14 Bank lot between the same streets, 40	2	80	0	0
15 Marsh land near the town, 600 acres at 3 <i>l</i> .		1,800	0	0
16 Ditto 200 acres, at 1 <i>s</i> . sterling rent, and 165 per cent. is		330	0	0
Lands within the drift of the town, at least 500 acres.				
250 nearest Delaware, at 15 <i>l</i> . per acre	—	3,750	0	0
250 nearest Schuylkill, at 10 <i>l</i> . per acre	—	2,500	0	0
17 Omitted.—Streiper's tract in Bucks county, 35 miles; 5,000 acres at 25 <i>l</i> .		1,250	0	0
18 The rents of the above manors and lands being 77,072 acres at a halfpenny per acre. 20 Years purchase, and and 165 per cent. exchange, is		5,298	12	0
<hr/>				
The Government to be calculated at no less than was to have been paid for it, viz, 11,000 <i>l</i> . at 165 per cent. is		233,972	2	0
		18,150	0	0
<hr/>				
		252,122	2	0

In this calculation no notice is taken of the thirds reserved on the Bank lots (a copy of the patents J. Penn has by him to shew the nature of them \*) and nine tenths of the province remains undisposed of.

Three fifths of all Royal mines is reserved in the grants, and in all grants since the year 1732. One fifth part of all other mines, delivered at the pit's mouth without charge is also reserved.

No value is put on the proprietor's right to escheated lands; and, besides these advantages, several offices are in the proprietor's gift of considerable value.

Register General, about	200 <i>l</i> .
Naval Officer,	300 <i>l</i> .
Clerk of Philadelphia,	400 <i>l</i> .
Chester,	300 <i>l</i> .
Bucks,	200 <i>l</i> .
Lancaster,	200 <i>l</i> .

Besides several other offices of less value. These are only guessed at.

The above paper has no date, but by sundry circumstances in it, particularly there being no value put on the thirds of the bank lots, because they were not then fallen in; and by the valuation put on the lands (which is very different from their present value) it must have been drawn while Mr. Thomas Penn resided in Pennsylvania, and probably more than twenty

\* By these patents, at the end of 50 years the proprietor was to have one third of the value of the lots and the buildings, and other improvements erected on them.

years

years ago : since which time a *vast addition* has been made to the *value* of the *reserved lands*, and a *great quantity* of land has been *disposed of*, perhaps equal to all preceding.

We must therefore *add* to the above sum of £.252,122 2s. 0d. the following articles, viz.

	Brought over	£.252,122 2 0
1 For the <i>increased value</i> of the lands of the Conestogoe manor now valued at 400 <i>l.</i> per hundred acres, and in the above estimate valued only at 40 <i>l.</i> per hundred, the said increased value being 360 <i>l.</i> per hundred, on 13,400 acres,	}	48,240 0 0
2 For the <i>increased value</i> of Gilbert's manor, now worth 400 <i>l.</i> per hundred acres	}	10,560 0 0
3 For ditto on Springfield manor, now worth 500 <i>l.</i> per hundred acres	}	6,800 0 0
4 For ditto on Highland's manor, now worth 350 <i>l.</i> per hundred acres	}	8,000 0 0
5 For ditto on Springtown, now worth 400 <i>l.</i> per hundred acres	}	36,500 0 0
6 For ditto on Vincent's manor, now worth 300 <i>l.</i> per hundred acres	}	53,000 0 0
7 For ditto on Richland's, now worth 450 <i>l.</i> per hundred acres	}	43,500 0 0
9 For ditto on the 20 tracts, now worth 300 <i>l.</i> per hundred acres	}	26,000 0 0
8 For ditto on Sprintesbury, &c. at least	}	2,685 0 0
9 For ditto on all the articles of lots from No. 9. to 14. being <i>re-abled</i> in value	}	5,060 0 0
15 For ditto on the Marsh land, now worth 20 <i>l.</i> per acre	}	10,200 0 0
16 For ditto on the value of lands within the draft of the town, now worth one with another, 50 <i>l.</i> per acre *	}	18,750 0 0
17 For ditto on Streipel's tract now worth 325 <i>l.</i> per hundred acres	}	15,000 0 0
[On the next articles for the <i>reserved rent</i> , and the <i>value of the Government</i> , we add no advance.]		
For the <i>thirds</i> of the <i>bank lots</i> and <i>improvements</i> on them, as they fell in after this estimate was made; reckoning every 20 feet of ground with its improvements, one with another, worth 480 <i>l.</i> the <i>thirds</i> being 160 <i>l.</i> for each 20 feet	}	37,280 0 0
	Carry over	£.573,697 2 0

\* The lots of land within the plan of the town were originally promised to be *given* to the purchasers of land in the country. But that has been long since discontinued; and for many years past the Proprietor has shut the office, and forbid his agents even to *sell* any more of them; intending to keep them all, till he can let them out on high ground rents, or on building-leases. 500 Acres divided into house-lots, and disposed of in this manner, will alone make a vast estate. The old proprietor likewise in his plan of the city, laid out five large *squares*, one in each quarter, and one in the centre of the plan, and gave the same to the inhabitants for *public uses*. This he published in all his accounts of the country, and his papers of invitation and encouragement to settlers; but as no formal deed or conveyance of those *squares* is now to be found, the present proprietor has *resumed* them, turned them again into *private property* that the number of his *lots* may be increased; and his Surveyor-general in his lately published plan of the city, has concealed all those *squares* by running intended streets over them.

Thus

Brought over £.573,697 2 0

Thus far the present value of what was then estimated.

But since that time, very great quantities of land have been sold, and several new manors laid out and reserved; one of which, viz. that of Conedouginet is said to contain 30,000 acres: the quantity sold since the estimate, must be at least equal to what was sold before, as the people are doubled, and the manors probably equal in quantity: we may therefore suppose, that a fair estimate of the lands sold, rents and manors reserved, and new towns laid out into lots, since the above estimate, would be at least equal to it, that is another tenth, and amount also to £.573,697 2s. 0d.

\$73,697 2 0

For eight of these ninth tenths of the province which were not disposed of at the time of making the estimate: Note, The province grant to William Penn is of three degrees of latitude, and five of longitude; each degree of latitude contains 69 1/2 statute miles, and each degree of longitude about lat. 40 contains 53 statute miles; so the dimensions of the province are 26 1/2 miles by 208 1/2, which gives for its contents 55,252 1/2 square miles or thirty-five millions, three hundred and sixty-one thousand, six hundred acres; eight tenths of this quantity, is 28,289,280 acres, which at £.15 10s. per 100 acres (the present selling price) is

4,384,838 8 0

For the yearly quit-rent on 28,289,280 acres at a half-penny sterling per acre, is 58,936l. per annum, which at 165 per cent. and 20 years purchase, is

1,856,484 0 0

For the additional value on one tenth part, at least, of those eight tenths, which being picked out of the best lands after every purchase from the Indians, before any private person is allowed to take up any, and kept for 20 or 30 years, is to be sold at a medium for 300l. per 100 acres advance; this on 2,828,928 acres, is

8,486,784 0 0

Total in Pennsylvania Currency £.15,875,500 12 0  
In Sterling, about TEN MILLIONS!

To the candid and impartial Public.

Mr. Silas Deane having in his address, (see page 185.) thrown many dishonourable reflections on several persons highly trusted by America, and too far distant to answer for themselves, I think it but justice to those injured characters to request that you will suspend your judgments until the matter is fully investigated by those whose immediate business it is, and

who are most likely to be possessed of the means to establish the truth, when, no doubt, all the parties will receive their due, whether of reward or punishment, and the public good be secured.

In the mean time, I hope you will take a view of the several characters, from the commencement of the present contest with Great Britain; the part they have acted; what they have sacrificed; and what were their probable prospects; and then

then I am sure you will agree with me, that the narrative is void of probability, and ought to be supported with much better evidence than insinuations, inuendoes, and base assertions.

As to the decency of the performance with respect to that body, to which America must always owe its safety and happiness, I leave it to those whom it may concern. And the real friends to the Independency of America will determine on the propriety of such a publication, in the present situation of our affairs. For my own part, I so reverence the representatives of the people, and have so warm a concern for the public welfare, that I had much rather my dearest connections should suffer a temporary injustice than offend the one, or in the least injure the other.

I do most sincerely wish you to be on your guard. Trust not professions; hear both sides, and judge from well attested facts.

FRANCIS LIGHTFOOT LEE,  
Philadelphia, Dec. 7, 1778.

Mr. Deane most respectfully presents himself before his countrymen, the free and virtuous citizens of America, and informs them, that the Honourable the Congress did, on Saturday morning the 5th instant, assign Monday evening (then following) to hear him, and on that evening, Resolved, That he report to Congress in writing, as soon as may be, his agency of their affairs in Europe, together with any intelligence respecting their foreign affairs, which he may judge proper. He therefore conceives he cannot with propriety continue his narrative at present: in the mean time he submits it to their good sense, whether he ought to take notice of a publication signed Francis Lightfoot Lee, opposed to stubborn and undeniable facts.

Philadelphia, 8th December, 1778.

*A copy of the TREATY of ALLIANCE, eventual and defensive, between his Most Christian Majesty and the Thirteen United States of America.*

*TREATY of ALLIANCE, eventual and defensive, between his Most Christian Majesty Louis the Sixteenth, King of France and Navarre, and the Thirteen United States of America, concluded at Paris, 6th February, 1778.*

L O U I S,

*By the Grace of God, King of France and Navarre.*

To All who shall see these presents, greeting,

The Congress of the Thirteen United States of North America having, by their Plenipotentiaries residing at Paris, notified to us their desire to establish with us and our States a good understanding and perfect correspondence, and having for that purpose proposed to conclude with us, a Treaty of Amity and Commerce: we having thought it our duty to give to the said States a sensible proof of our affection, determining us to accept the proposals: for these causes, and other good considerations, us thereunto moving, we, reposing entire confidence in the abilities and experience, zeal and fidelity for our service, of our dear and beloved Conrad Alexander Gerard, Royal Syndic of the city of Strasburg, and Secretary of our Council of State, have nominated, appointed, and commissioned, and by these presents signed with our hand, do nominate, appoint and commission him our Plenipotentiary, giving him power and special command for us, and in our name, to agree upon, conclude and sign, with the Plenipotentiaries of the United States, equally furnished in due form with full powers, such treaty, convention, and articles of commerce and navigation, as he shall think proper; willing that he act with the same authority as we might or could act, if we were personally

sonally present, and even as though he had more special command than what is herein contained; promising in good faith, and on the word of a King, to agree to, confirm and establish for ever, and to accomplish and execute punctually, all that our said dear and beloved Conrad Alexander Gerard shall stipulate and sign, by virtue of the present power, without contravening it in any manner, or suffering it to be contravened for any cause, or under any pretext whatsoever; and also to ratify the same in due form, and cause our ratification to be delivered and exchanged in the time that shall be agreed on. For such is our pleasure. In testimony wherof we have hereunto set our seal.

Done at Versailles, this thirteenth day of January, in the year of our Lord one thousand seven hundred and seventy-eight, and the fourth year of our reign.

(Signed)

(L. S.)

LOUIS.

(Underneath)

By the KING.

GRAVIER de VERGENNES.

### TREATY of ALLIANCE.

The Most Christian King, and the United States of North-America, to wit, New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, having this day concluded a Treaty of Amity and Commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take it into consideration the means of strengthening those engagements, and of rendering them useful to the safety and tranquillity of the two parties; particularly in case Great Britain, in resentment of that connection, and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities, or by

hindering her Commerce and Navigation, in a manner contrary to the rights of nations and the peace subsisting between the two Crowns.— And his Majesty and the United States having resolved in that case to join their councils and efforts against the enterprizes of their common enemy—

The respective Plenipotentiaries, empowered to concert the clauses and conditions proper to fulfil the said intentions, have, after the most mature deliberation, concluded and determined on the following Articles:

ART. I. If war should break out between France and Great-Britain during the continuance of the present war between the United States and England, his Majesty and the said United States shall make it a common cause, and aid each other mutually with their good offices, their councils and their forces, according to the exigency of conjunctures, as becomes good and faithful allies.

ART. II. The essential and direct end of the present defensive alliance is, to maintain effectually the Liberty, Sovereignty, and Independence, absolute and unlimited, of the said United States, as well in matters of Government as of Commerce.

ART. III. The two contracting parties shall each on its own part, and in the manner it may judge most proper, make all the efforts in its power, against their common enemy, in order to attain the end proposed.

ART. IV. The contracting parties agree, that in case either of them should form any particular enterprize in which the concurrence of the other may be desired, the party whose concurrence is desired, shall readily and with good faith join to act in concert for that purpose, as far as circumstances and its own particular situation will permit, and in that case, they shall regulate by a particular convention the quantity and kind

kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

ART. V. If the United States should think fit to attempt the reduction of the British power, remaining in the northern parts of America, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with, or dependent upon, the said United States.

ART. VI. The Most Christian King renounces for ever the possession of the islands of Bermudas, as well as of any part of the continent of North-America, which before the treaty of Paris, in 1763, or in virtue of that treaty, were acknowledged to belong to the crown of Great Britain, or to the United States, heretofore called British Colonies, or which are at this time, or have lately been under the power of the King and crown of Great Britain.

ART. VII. If his Most Christian Majesty shall think proper to attack any of the islands situated in the Gulph of Mexico, or near that Gulph, which are at present under the power of Great Britain, all the said isles, in case of success, shall appertain to the crown of France.

ART. VIII. Neither of the two parties shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained; and they mutually engage not to lay down their arms, until the Independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

ART. IX. The contracting parties declare, that, being resolved to fulfil, each on its own part, the clauses and conditions of the present Treaty of Alliance, according to its own power and circumstances, there shall be no after claims of compensation, on one

VOL. VII.

side or the other, whatever may be the event of the war.

ART. X. The Most Christian King and the United States agree, to invite or admit other powers, who may have received injuries from England, to make a common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to, and settled between all the parties.

ART. XI. The two parties guarantee mutually from the present time, and for ever, against all other powers, to wit—The United States to his Most Christian Majesty the present possessions of the Crown of France in America, as well as those which it may acquire by the future treaty of peace; and his Most Christian Majesty guarantees on his part to the United States, their liberty, sovereignty, and Independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great-Britain in North America, conformable to the fifth and sixth articles above written, the whole as their possessions shall be fixed and assured to the said States, at the moment of the cessation of their present war with England.

ART. XII. In order to fix more precisely the sense and application of the preceding Article, the contracting parties declare, that in case of a rupture between France and England, the reciprocal guarantee declared in the said article shall have its full force and effect the moment such war shall break out; and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence until the moment of the cessation of the present war between the United States and England, shall have ascertained their possessions.

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ART. XIII. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof the respecting Plenipotentiaries to wit, on the part of the Most Christian King, Conrad Alexander Gerard, Royal Syndic of the city of Strasburgh, and Secretary of his Majesty's Council of State. And on the part of the United States, Benjamin Franklin, Deputy to the General Congress, from the State of Pennsylvania, and President of the Convention of said State; Silas Deane, heretofore Deputy from the State of Connecticut; and Arthur Lee, Counsellor at law, have signed the above articles both in the French and English languages: declaring nevertheless, that the present treaty was originally composed and concluded in the French language, and they have hereunto affixed their seals.

Done at Paris, the sixth day of February, one thousand seven hundred and seventy eight.

(L. S.) C. A. GERARD,

(L. S.) B. FRANKLIN,

(L. S.) SILAS DEANE,

(L. S.) ARTHUR LEE,

[The reader will find a complete copy of the Treaty of Commerce between France and America, page 64 to 80.]

By his Excellency WILLIAM TRYON, Esq. Governor and Commander in Chief of the Province of New York, and the Territories thereon depending in America, Chancellor and Vice-admiral of the same, and Major General in his Majesty's army.

#### A PROCLAMATION.

Whereas their Excellencies his Majesty's Commissioners, the Right Honourable Frederick Earl of Carlisle, Sir Henry Clinton, Knight of the Bath, Lieutenant-general and Commander in Chief of his Majesty's

forces in North America, and William Eden, Esq. by their Manifesto and Proclamation, under their hands and seals, bearing date the 3d day of October last, did, in pursuance of an Act of Parliament, made and passed in the eighteenth year of his Majesty's reign, pardon all and all manner of treasons and misprisions of treasons, by any person or persons, or by any number or description of persons, within the Colonies of New Hampshire, Massachusetts Bay, Rhode-Island, Connecticut, New-York, New Jersey, Pennsylvania, the three lower Counties upon Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, counselled, commanded, acted or done, on or before the date of the said Manifesto and Proclamation.

And whereas because some persons, who, though inclined, might not be able immediately to deliver themselves from the tyranny of the usurpers; and his Majesty's Commissioners in compassion to them have by the said Manifesto further declared and proclaimed the like benefits of pardon to any person or persons, actually serving in the said Colonies in this rebellion, either in a civil or military capacity, who should at any time within forty days from the date of the said Manifesto withdraw himself or themselves from such service, and thenceforth continue peaceably to demean himself or themselves, as a good and faithful subject; excepting therein only such persons, as after the date thereof should, under the pretence of authority, as judges, jurymen, ministers or officers of civil justice, be instrumental in executing and putting to death any of his Majesty's subjects within the said Colonies.

And whereas many of his Majesty's subjects within the power of the usurpers, and to escape their cruelties and oppressions, are desirous to repair

repair to the British lines, but deterred by apprehensions, of a want of means to subsist themselves; during the continuance of the rebellion, I do therefore hereby inform all such as are already pardoned by the said Manifesto, or are thereby entitled to pardon, not only that they shall meet with good usage, and all reasonable encouragement, but that in consequence of authority from his Majesty, above sixty commissions are already issued, and more preparing, for letters of marque and private ships of war against his Majesty's enemies, in which, whether land-men or seamen, they may be profitably employed, for the benefit of themselves and their families, as well as become serviceable to their King and country: and that the Admiral of his Majesty's fleet, has given the firmest and most explicit assurances, that all seamen and others, who shall come in from the rebels, after the 20th day of December, instant, and produce a certificate from any officer of the out-post, or from any Commander of the King's ships, of their having come in after that date, will be at liberty to enter on board any of the privateers or letters of marque sitting out at this port, and not to be liable to be impressed on board the men of war, whilst in that service.

Given under my hand and seal at arms, at King's Bridge out-post, the 24th day of Dec. 1778,

WM. TRYON.

By his Excellency's Command,

B. J. JOHNSON, Prov. Sec.

*Ardent, off New-York, Dec. 25, 1778.*

Sir,

Motives of humanity only could induce me to reply to the Congress's refusal of my just requisition for the release of an innocent officer, imprisoned for being the bearer of a sealed packet, addressed to the legislative body at the place.

All nations whatever agree in holding a flag of truce sacred; the late flag carried by Lieutenant Hele, strictly and literally so in every sense; the obeying his orders, his indispensable duty, the contents of the packets perfectly unknown, even to him; I cannot conceive any imputation of a seditious tendency can be charged on the bearer of a packet, neither circulated, nor even opened; it was left to Congress either to publish or destroy the contents.

I should imagine it difficult in the eyes of the candid world to explain away that paragraph in my letter, that "the resolution on which Congress wish to justify themselves is subsequent in date to the fact of which they complain." Where there is no law against, there can be no transgression.

If the sending in a flag of truce by an officer of rank, a sealed packet, addressed to the legislative body of the place, was in its own nature illicit, such resolve and law against, should, in common sense and equity, have been previously made, and not notoriously subsequent;—would you inflict a punishment for a crime committed before any law had adjudged such to be a crime.

Had any resolve of Congress ever announced such to be illicit, I never would have sent an officer on a duty, which at the same time that military law obliged him to execute, subjugated him to captivity or punishment.

However painful the being obliged to adopt measures, though justifiable by example and necessity, yet disagreeable in themselves, and repugnant to that benevolence to my fellow creatures I would wish to stamp my character, I should nevertheless but ill deserve the esteem of Congress, and all mankind, if on any occasion whatever, in public life, I suffered my private feelings to withhold that

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duty I owe my King and country in any trust reposed in me.

I am with all due regard, Sir,

Your most obedient,

Humble servant,

J. GAMBIER,

Rear Admiral of the blue, and  
Commander in Chief of his Majesty's  
ships, &c. in North America.

*His Excellency Henry Laurens, and  
others, Members of the Congress.*

As I perceive it is not found an indecency to attack my character and conduct on the 28th of June; whilst the affair is *sub-judice*, I hope the public will think it none, if I offer something in my own defence. You will therefore, by giving a place in your paper to the enclosed, extremely oblige, Sir, your humble servant,

CHARLES LEE.

The different commentators on the orders I received from General Washington on the 28th of June, have I think construed them into no more than three different senses. I shall therefore, for argument sake, give the world leave to suppose them to have been any one of these three.—\*

1stly, To attack the enemy in whatever situation, and in whatever force, I found them, without considering consequences.

2dly, To contrive the means of bringing on a general engagement.

3dly, To annoy them as much as possible, without risking any thing of great importance, that is, in fact, to act with a degree of latitude according to my own discretion.

Now, I say, granting any one of these three to have been the orders I have received, it is manifest that I

did literally and effectually comply as far as depended on myself and on human means. As to the first, notwithstanding the attempt by a low evasion to prove that the orders I gave were only to *advance* on the enemy, it is clear from Captain Mercer's evidence, that General Wayne and Colonel Butler were ordered not only to advance, but in precise terms to attack; it is clear that I did with the three brigades on the right make the only movement possible to accomplish this end—it is clear, that I did not wish, or give any orders for a retrograde manœuvre from the first point of action, and that even when I was informed of our being abandoned, the retreat, however necessary, was (I am ashamed to own it) done contrary to my orders, and contrary to my intentions. I say I am ashamed to own it; for if the British cavalry had vigorously pushed on our right, they might have turned our flank, taken us in reverse, and we had been totally lost. There is but one supposition, and, indeed, only one (and that for the General's honour is too monstrous to be admitted) that would render me criminal; it is, that he had positively commanded me, that after the attack commenced, whatever were my circumstances, or whatever my numbers, from thence I should not from any consideration recede an inch. Now, if such I had conceived to have been his intention, so great is my opinion of the valour, zeal, and obedience of the troops, and so well I think I know myself, that I do really believe we should all have perished on the first spot; but I never had (it was almost impossible I should have) an idea that such was his plan;

\* It must appear somewhat extraordinary, that when the principal and heaviest charge brought against me was the disobedience of orders, those orders that it seems I disobeyed, should never have been attempted to be ascertained to the Court by the proper authority, but were left to the conjecture and wild constructions of those who might take the trouble to guess, and to the hardiness of those who might choose to invent.

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and it is evident that it was not, consequently, in seeking a better position in our rear, I could be guilty of no disobedience. Upon the whole, admitting the orders I received, to have been (as it has been insinuated) to attack, without any consideration of the force or situation of the enemy, they were as fully and rigidly obeyed (circumstanced as I was) as it was possible for any human officer to obey orders of such a nature. In the next place, if the General's instructions are construed to be, that I should find the means of bringing on a general engagement, it is difficult to imagine a more efficacious method than that which was pursued; but I must here beg leave to observe, that those gentlemen who talk so familiarly of bringing on a general engagement, must understand themselves as little as they can be understood by others.—To bring on a general engagement is not always in my power. An enemy of any capacity, will take such measures as not to be under the necessity of fighting against his inclinations; and however it may be received, I cannot help being persuaded, that some of the British Generals are not deficient in this great essential.—Clinton, Gray, and Erskine, were bred up, and considered as no despicable officers, in one of the best schools in Europe.—Prince Ferdinand, and his nephew the Hereditary Prince, think, and it is said, do most certainly speak very honourably of them. Now, although it must be supposed that men of this stamp will make it a rule to retain the power of refusing a general engagement, there are strong grounds for believing that on this day (whether from our manœuvres, or from the often ungovernable impetuosity of the British troops) they would have been put under the neces-

sity of committing the most considerable part of their army to the decision of arms, if the opportunity on our side had been availed of. They were tempted to pass three of the great ravines which traversed the plain, and there is room to flatter ourselves they would have passed the last, if they had been wisely suffered. They would then have been actually in our power, that is, they would have been under the necessity of fighting against unequal force; for they had scarcely the possibility of retreating, and it was at our option to engage whatever part of their army we thought proper, whether the whole, one half, or only a third, as they had immediately emerged from the ravine; and before they could have had time to develope and form—our rear was, on the contrary, quite clear and unembarrassed, and were in fact entire masters of our manœuvres; at the same time Colonel Morgan and the militia on the flanks (by this separation of the major part of the enemy's army to so great a distance from their baggage, and the body covering the baggage) would have had a much fairer opportunity of making their respective attacks, than if they had remained more compact; thus if any thing is meant by finding the means of bringing on a general engagement, it was done (and in the most salutary manner) to the utmost extent of human possibility.

We come now to the last supposition, viz. that the orders I received (which in fact is the truth, unless they had no meaning at all) were to annoy the enemy, strike a partial blow, but without risking any thing of great importance, or in other terms, to act in a great measure discretionally\*. And here I defy the most acute military critic of the world,

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\* It must be remarked, that a disobedience to discretionary orders is *prima facie*, a glaring absurdity; it is an impossibility—and yet it has been endeavoured

to point out a more effectual method than what was pursued; for had we taken post on the higher or western margin of the first ravine, as General Wayne seems to think we ought to have done, (and admitting that in this position our flanks could have been secure, which they certainly were not) or on the margin of any of the other ravines in our rear, the last not excepted (if the last had been tenable) how could we possibly have annoyed the enemy, or struck a partial blow? The consequence could at most have been this, that we might have remained gazing on, and cannonading each other for some time, and the moment they chose to retire, they could have done it at their leisure, and with impunity; for by all the rules of war, and what is more, by all the rules of common-sense, we could not have ventured to pursue them; because we should have put, if not impracticable, at least very dangerous defiles in our rear, and if they had turned back upon us, we should have been effectually in their power, unless we could have insured victory to ourselves with very unequal numbers; but by drawing them over all the ravines, they were as much in our power; besides, it must occur to every man who is not destitute of common reason, that the further they were from their ships and the heights of Middle-town, the point of their security, the more they were (to use the military language) in the air.

To these considerations may be added, that the ground we found them in was extremely favourable to the nature of their troops, and that we drew them into as favourable to

ours; the ground we found them in was calculated for cavalry, in which they comparatively abounded, and that which we drew them into as much the reverse. In fine, admitting the order I received was any of the three referred to, and supposing we had been as perfectly acquainted with every yard of the country, as we were utterly ignorant of it, I am happy to be able conscientiously to pronounce, that were the transactions of that day to pass over again, there is no one step I took, which I would not again take. There is no one thing I did, which does not demonstrate that I conducted myself as an obedient, prudent, and (let me add) spirited officer\*; and I do from my soul sincerely wish, that a Court of Enquiry, composed of the ablest soldiers in the world, were to sit in judgment, and enjoined to canvas with the utmost rigour every circumstance of my conduct on this day, and on their decision my reputation or infamy to be for ever established. There is, however, I confess, the strongest reason to believe (but for this omission I am no ways responsible) that had a proper knowledge of the theatre of action been obtained, as it might, and ought to have been, its nature, and different situations, with their references, studied, and in consequence a general plan of action wisely concerted and digested, a most important, perhaps a decisive blow, might have been struck, but not by adopting any one measure that any one of my censurers has been fortunate enough to think of. I have already said, that had we remained on the ground where the attack commenced, or on the margin of the first ravine, which

deavoured to prove me guilty of this impossibility.—Vide—The General's letter to Congress, and the first article of the charges brought against me.

\* This stile, on ordinary occasions would appear a most intolerable and disgusting gasconade; but when a man's conduct has been grossly misrepresented and calumniated as mine has been, the strongest language is justifiable in his defence.

General

General Wayne seems to think was a good position, we should probably have been lost; and I believe, I may safely assert, that had we attached ourselves to the second position, in front of Car's house, reconnoitred by Monsieur Du Portail, or on the hill which Colonel Hamilton was so strongly prepossessed in favour of, and allowing our flanks to be secure in any of these positions (which it is evident they were not) security would have been the only thing we could have had to boast of—the security of the enemy would have been equally great, but the possibility of annoying them we certainly had not: I assert then, that if we had acted wisely, it was our business to let one, two, or three thousand pass the last ravine, in the rear of which, and on the eminence pointed out to me by Mr. Winkuff, and to General Washington, by \* Ray, the main body of our army was posted, fresh and unfatigued; whereas those of the enemy were extremely harrassed, or indeed worn down, to so low a degree of debility, that had they once passed they had little chance of repassing: the ground was commanding, and to us, in all respects advantageous. A sort of natural glacis extended itself in our front, from the crest of the eminence quite down to the ravine, over which there was only one narrow pass; the plain so narrowed as to give no play to the manœuvres of their cavalry; and at two or three hundred yards distance in the rear, a space of ground most happily adapted to the arrangement of a second line †.—This ground, from the nature of its front,

almost entirely protected from the annoyance of the enemy's cannon, and of course well calculated for the respiration of a body of troops, such as my detachment was, fatigued, (but not dispirited) by action, and the excessive heat of the weather; here they might have taken breath; here they might have been refreshed, and in a very short time redressed at least to act as a line of support, which is all that in these circumstances could be necessary. I proposed to the General to form them as such, but was precipitately ordered (and I confess in a manner that extremely ruffled me) to three miles distance in the rear.

Thus, in my opinion, was a most glorious opportunity lost; for what followed on both sides was only a distant, unmeaning, inefficacious cannonade, and what has been so magnificently stiled a pursuit, was no more than the taking up the ground, which the British troops could not possibly, and were not (their principal retreat) interested to maintain.

P. S. A thousand wicked and low artifices, during my trial, were used to render me unpopular. One of the principal was, to throw out that I had endeavoured, on every occasion, to depreciate the American valour, and the character of their troops. There never was a more impudent falsehood. I appeal to my letters addressed to Mr. Burgoyne—to the whole tenor of my conversation, both previous and subsequent to the commencement of the present war, and to all my publications. It is true, I have often heavily lamented, as to me it appears, the defective constitu-

\* To these two gentlemen, not a little credit for the success of the 28th of June is due.

† It may be objected that a part of my detachment there, under Scott and Maxwell, had already filed off in the rear, but they might easily have been brought up; it is evident they might, as not long afterwards a part of them were ordered and did march up. It must be observed, that I myself was totally ignorant that any part of them had filed off—but those I had with me would have formed a very respectable line of reserve.

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tion of the army; but I have ever had the highest opinion of the courage and other qualities of the American soldiers. And the proofs that my opinion was just, are numerous and substantial.

To begin with the affair of Bunker's-hill: I may venture to pronounce there never was a more dangerous, a more execrable situation, than these brave and unfortunate men (if those who die in the glorious cause of Liberty can be termed unfortunate) were placed in. They had to encounter with a body of troops both in point of spirit and discipline, not to be surpassed in the whole world; headed by an officer of experience, intrepidity, coolness and decision. The Americans were composed in part of raw lads and old men, half armed, with no practice or discipline, commanded without order, God knows by whom. Yet what was the event? It is known to the world the British troops, notwithstanding their address and gallantry, were most severely handled, and almost defeated†.

The troops under the command of General Montgomery, in his expedition against St. John's, Chambly, and into Canada, who were chiefly composed of native Americans, as they were from the eastern States, displayed, by his own account, in a letter I received from that illustrious young man, not only great courage, but zeal and enterprise.

The assault under Arnold on the lower town of Quebec, was an attempt that would startled the most approved veterans, and if they miscarried, it cannot be attributed to a deficiency of valour, but to want of proper information of the circumstances of the place.

The defence of Sullivan's-Island,

by Colonel Moultrie, might be termed an ordeal. The garrison was, both men and officers; entirely raw, the fire furious, and of a duration almost beyond example; their situation extremely critical and dangerous for; if General Clinton could have landed on the island, there were no resources but in the last desperate resolutions.

With respect to the transactions on Long and York-Islands, I must be silent, as I am ignorant of them; but from some observations after I joined the army, I have reason to think the fault could not have been in the men, or in the common bulk of officers.

Even the unhappy business of Fort Washington, which was attended with such abominable consequences, and which brought the affairs of America to the brink of ruin, (when the circumstances are well considered) did honour to the officers and men devoted to the defence of this worthless, and ridiculous favourite.

The defence of Red Bank by Colonel Green, and Mud Island by Colonel Smith, forced a confession even from the most determined infidels on this point of the British officers, to the honour of American valour. I have often heard them allow, that the defence of these two places were really handsome things, that no men could have done better; which from unwilling mouths is no small panegyric.

The victory gained by Stark at Bennington, and the capture of Mr. Burgoyne's whole army by Gates and Arnold, are above all convincing arguments of what excellent ingredients in all respects the force of America is composed.

The detail of what passed lately on Rhode-Island is not yet come to

† The Colonels Stark, Prescott, Little, Gardner, Read, Nixon, and the two Brewers, were entitled to immortal honour for their actions on that day; but, according to the usual justice of the writers of news-papers and gazettes, their names have scarcely been mentioned on the occasion.

my knowledge, but from all I have been able to collect, the men and officers exhibited great valour and facility; as did their General, discretion, calmness, and good conduct. Upon the whole, I am warranted to say, what I always thought, that no disgrace or calamity has fallen on the arms of America through the whole course of the war, but what must be attributed to some other cause than to the want of valour, of disposition to obedience, or to any other military defect in the men, or the general class of the officers in their different ranks; and I solemnly declare, that was it at my choice to select from all the nations of the earth to form an excellent and perfect army, I would, without hesitation, give the preference to the Americans. By publishing this opinion, I cannot incur the suspicion of paying my court to their vanity, as it is notoriously the language I have ever held.

I have been told that one of the crimes imputed to me is my entertaining a high opinion of the British troops—if this is a crime, I am ready to acknowledge it. There were times, I confess, when the promulgation of such an opinion would have been impolitic and even criminal; but in these times, it is notorious to the world that my conduct was the reverse.—I could not help, whilst I was prisoner, being astonished at the bad policy and stupidity of some of the British officers, who made it their constant business to depreciate the character of the Americans in point of courage and sense: I have often expressed my astonishment, making a very natural observation to them, that if the persuasion of their opponents cowardice and folly were established in the world, the great merits they themselves pretended to must at the same time be utterly destroyed. That I have a very great opinion of the

VOL. VII.

British troops, I make no scruple to confess, and unless I had this opinion of them, I do not see what ground I could have for my eulogiums on American valour. This is a truth simple and clear as the day; but be it as it will, it is now most certain, let the courage and discipline of the British troops be as great as imagination can paint, there is at present no danger from either the one or the other; the dangers that now threaten, are from other quarters; from the want of temper, moderation, œconomy, wisdom, and decision amongst ourselves; from a childish credulity, and in consequence of it, a promptness to commit acts of the highest injustice on those who have deserved best at the hands of the community; but above all from the dæmon of avarice and monopoly, now with his giant gait stalking the Continent, and devouring every thing that falls in his way. In short, from the direct opposites to those qualities, virtues, and principles, without which it is impossible that the mode of Government established should be supported for the tenth part of a century. These, I assert, are now the proper objects of our apprehensions, and not any real or supposed excellence in the armies of Great Britain, who has infinitely more reason to fear for her own Independence, than to hope for the subjugation of yours.

General Clinton's letter, which has just appeared, has so wonderful an accord with the above essay, that I make no doubt but that some acute gentleman may insinuate that it furnished the hint—but I can appeal to more than fifty gentlemen of this city, or officers of the army, to whom it was read previous to the publication of General Clinton's letter, whether a single syllable has been added or varied, the conclusion of the postscript, excepted, which has no reference to the affair of Monmouth.



For the REMEMBRANCER.

THE SPIRIT AND RESOURCES OF  
GREAT BRITAIN CONSIDERED,  
IN TWELVE LETTERS.

LETTER I.

It would be in vain, perhaps, to recommend an open and immediate application to the American Commissioners at Paris, for the attainment of that peace which is so essential to the welfare of the State; the acknowledgment of the Independency of America, which must be groundwork of such application, is thought to be a measure so fatal to the interest of Great Britain, that nothing but real and evident necessity can justify its adoption; it would be better, it is said, to run the utmost risk of the existence of the nation itself, than submit to such condescension: "if England *must* fall, let her fall with arms in hand; if her sun *must* set, let it set in glory."

This is the language of all who wish to provoke the continuance of the war; of those who had rather have their country sink past redemption, than that their principles, counsels, and conduct, should be so publicly condemned; of those who live by the enormous corruptions of the war; and of those who wish the continuance thereof for no other end than to dispossess their opponents of power, and gain the emoluments of office. The two first classes are wicked; the last is wicked, impudent, and weak; but the whole together are powerful in numbers, and wonderfully clamorous for the honour of their King and their country, while they have, perhaps, nothing in view but the gratification of their own pride, rapacity, and ambition.

Should we, however, agree with these men in their specious and designing language; should we confess, that nothing but a real and evident necessity can induce, and justify, the acknowledgment of the Independency

of America, we shall be brought to examine, whether that necessity does not now exist.

It would, however, be in vain for him, who should undertake to prove the existence of that necessity, to enter into a detail of the present condition of the kingdom; of the weakness and wickedness of the public Councils; of the loss of public and private credit; of the decay of husbandry and trade; the dissipation of the revenues; and the miserable condition of the navy: a detail of this sort would be totally disregarded; it would be answered at once—"The object is too important, the spirit of the British nation too high, the resources with which God has blessed her too numerous to give up so many Colonies." Alas! it is well remembered when these flattering expressions were made use of, which vanity, ignorance, and ambition, echoed back with self-complacency. How far they were *then* just, may now be examined; time has given a proof of their propriety, and enables us to judge, whether the high spirit of the people, and the resources of the kingdom, are such as to obviate the necessity of acknowledging the Independency of America.

In the first place, we must examine the nature of that spirit, the firmness, purity, and miraculous powers of which can (and none but such can) save a sinking and desperate people at the last gasp.

The Prince of Orange, the descendant of him who struggled with noble fortitude in defence of his country's liberty, against the base and violent attempts of that proud and obstinate oppressor Philip the Second of Spain, answered well, when he was pressed to say what he would do when all hopes were over of defending his country against an unjust invader of its rights, liberty, and religion,—that "he would die in the last dyke." A perseverance to death is the first duty,  
and

and last effort, of freemen; but such persistence is only necessary in the cause of religion and of liberty; those tests of our duty to God and ourselves, without which life is not worth possessing, the glory and comfort of it resulting from them. Is the cause in which this country has plunged herself of that nature, as to demand, and justify a similar persistence? Is her's the cause of liberty, or of oppression? I dare not answer the question; it must be left to the sense of all Europe, the feelings of America, and the conscience of every independent Englishman.

## L E T T E R II.

Although we may not determine, whether the cause in which this country has plunged herself, is the cause of liberty or oppression, it may be safely said, that selfishness and arrogance are not the signs of true spirit. There can be no spirit in which a man can properly pride himself, which is not founded on justice and honour. We may go further; it may be said, that the nation which violates the first principles of society, and, in particular, that of its own Government, in order to obtain some sinister object, has lost all sense of honour and justice; and, having said this, we may ask—what can be clearer in the principles of society and letter of the Constitution, than that no State or Potentate can, without an express commission from God, or consent of the people, assume to themselves the power of making laws to bind those who have not only not given their assent, but openly objected thereto? What can be more unjust, than that one part of the subjects of a State should have a right to the Lordship over, and to dispose at their will of, the lives, property, liberties, and religion of another part thereof, at the distance of 3000 miles, at their pleasure, and in subserviency to their interests? What can can be more ab-

surd and wicked than to maintain, that Government was instituted for the benefit and emolument of the Governor, and not of the Governed? Are not these principles contrary to the laws of God, of reason, and the sufferance of man in his own case? Can any Englishman advance, or submit to these absurdities? Can any man of real spirit, such as an Englishman ought to be, maintain there must be a supreme power in Government, although such power may be claimed by usurpation, and exercised in tyranny? That the assent of the people is not necessary for its establishment? that its true foundation is the parental authority? That such power cannot be resisted, although it aims at the misery and destruction of its subjects, and must be exercised in its full extent, though it involves the whole Empire in one general ruin?

The Englishman who maintains these doctrines, must have lost the spirit of his ancestors; who, knowing that such tenets naturally led to the establishment of an arbitrary, selfish, unknowing, and unfeeling power in the King over the people of this island, opposed him bravely and successfully in arms, and brought about the great work of the Revolution.

Let not that glorious event be a reproach to the present age; it will be so, if, in the opinion of mankind, the noble principles of it are contradicted in the American contest: those principles are as just now as they were then. Let not the people, who shewed a great and necessary spirit in opposition to the wretched family which had invaded their rights, debase and shew themselves unworthy inheritors of the great bequest of their ancestors.

Is it, that the people of this island, having once governed the people of the continent of America with their free consent, have such a right to govern them without their consent, as to make it shameful to give it up?

and that right, once so possessed, must be ever considered as indefensible! Such assertion is too general; there are great and noble exceptions to it: whoever maintains an argument of this sort, must have forgot the conduct of his ancestors, and the great example of the Roman patriots. The acknowledged rights of James and Tarquin, did not prevent those of former times from driving oppressors from the throne. The clearest right may be forfeited by abuse; but power is seldom quitted without reluctance. James and Tarquin were men of high spirit, and struggled to the last for the repossession of their authority; but James and Tarquin being defeated in their efforts, the freedom of England and of Rome were established at their expulsion.

### LETTER III.

If proofs were wanting of the nature of the boasted spirit and principle of the present contest, the means which have been used for the attainment of the national object, having resulted from them, would supply such proofs.

The methods taken to rouse the people to enter into this deplorable business, were surely most unworthy the least degree of spirit. No one can recollect, without blushing, the invectives, bordering on scurrility, which echoed round the walls of the most public and solemn places. Should any one endeavour to account for this licentiousness of speech, he would, perhaps, do it in the following manner:

When the fatal question was first agitated, both sides appealed to the nature, principles, and end of society, and of government in general; and, in particular, to the letter and spirit of the English Constitution: that side which gained nothing, but lost every thing by the appeal, soon had recourse to arms; in which, it was imagined, they were as strong as

they found themselves weak in argument. This violent action was preceded and accompanied by a feminine violence of speech. Calumny and abuse became an engine of Government. Men were hired to provoke the people to folly and madness. The Americans were publicly declared rebels and cowards, and were considered as such by the generality of the people, who were told so by them unquestionably brave, and of competent judgment what was and was not rebellion. The former bravery of such men, however, stood not in need of such arts to set it off, whatever their present loyalty might. The people, not attending to the quarter from whence this scurrility proceeded, willingly listened to, and adopted it; their interest and their honour induced them to credit the assertion, that the Americans were cowards and rebels: if they were not cowards, the danger of insulting and attacking them would be great; if they were not in rebellion, they themselves were tyrants and oppressors. This illiberal behaviour at home, spread itself in every speech and action abroad. Read the Letters, Manifestos, and Proclamations of the Generals in America; is one of them dictated by that magnanimity which scorns insult, and avoids the appearance of insolence?

This conduct, which succeeded so well, is a libel on the nation. There was a time when such artifices were unnecessary; when the courage of the people of Great Britain stood not in need of such provocations; when they shewed themselves possessed of real strength and unquestioned bravery, and did not depend for success on the weakness or cowardice of their enemy; when their cause was so just as not to stand in need of recrimination. The shame of such illiberality is not more obvious than the folly and mischief of it.

If it raised a kind of courage in the people

people of this island, that led them to the most unpitiable actions, it incited, at the same time, a general opposition and abhorrence in the Americans: it raised a resentment, which England will feel in the four quarters of the globe.

This insolence of speech is, however, somewhat checked. The Americans have given the lie to their revilers and calumniators: they have fought bravely; they have shewn themselves possessed of the true foundation of courage; their magnanimity and generosity, amidst the most unworthy treatment, have astonished Great-Britain, and met with the applause of Europe.

But, unfortunately, the people being in the habit of abuse, have not considered the danger of extending it to those who have ever had the power and inclination to resent every impeachment of their honour and courage. Having provoked one another, by this false and unworthy method, to insult their once fellow-subjects, they have taken the same ridiculous and unmanly way of animating themselves against the neighbouring nations: the consequence of such proceeding may be fatal to this country. That the vulgar and ignorant are guilty of scurrility, may not be surprising; but, when men of great note give into such intemperate use of speech, we are lost in astonishment. No one of real courage and knowledge would brand a whole kingdom with cowardice, especially if his situation was such as secured him from the danger of merited resentment; nor would a good citizen say or do any thing in the wantonness of his heart, which might in any manner prejudice the State in general.

Let not then an indecent freedom of speech be taken with the people of France. It will be found the French cannot, any more than the Americans, put up with gross scurrility; and that, if they cannot

pluck the libeller from his privileged shelter, they will astonish him with the most noble acts of valour; and, to his shame, resent the affront on the body of the people, who have not had sense or decency to check and punish the indignity.

Let the subjects of Great-Britain have a clear understanding of that freedom of speech, of which they are so proud, and justly tenacious, in their public proceedings; let them consider it as a freedom which they claim of right to be exercised in their own proper transactions; it is a claim against the interference and animadversion of *their* Kings; but this right, which is a security and honour to the people of this island, ought not to operate against the repose and honour of the neighbouring nations: it will, in that case, become a licentiousness of the worst kind, and most dangerous tendency. In vain will the privilege of Parliament be pleaded against the resentment of a King, or nation, treated with insult within its walls. The unguarded speeches in Parliament, from whomsoever they may come, will be noticed out of Parliament, notwithstanding the resolutions of the two Houses; and the privilege, which is of such consequence in England, will be considered in foreign countries not only with contempt, but abhorrence and indignation, as a cloak to a licentiousness which may, if unrestrained, embroil the world.

#### L E T T E R IV.

“ Yes, we are men of high spirit, and cannot part with *our* subjects.”  
Ye country Gentlemen, this is the language of avarice and pride, which will bring you to beggary and shame. If you have an high spirit, take care lest it shew itself like that of the inconsiderate drunkard, who, in his midnight broils, scruples not to draw his sword on his best friends; or, of the bravo, who is insolent, because

he imagines his opponent is weak or cowardly.

You once, indeed, had a spirit, warranted by the Constitution, and worthy of Englishmen. You had the spirit of watchfulness over, and distrust of Ministers. You were, during the reigns of the preceding Kings of the Hanover House, jealous of, and violent in opposition to, every measure of the Court. At present, tamely submitting to the dictates of a Favourite, you have nothing in you, but the spirit of acquiescence in the most pernicious conduct. The Minister knows your meanness, and has treated you accordingly.

Having often clamoured against taking into pay the troops of Europe, necessary for the defence and liberties of this country, you were, for the sake of consistency, under the necessity of seeming to be averse to a proposal of that kind. The Minister, having taken his part, laughed in your face at your pretended squeamishness, and pursued his project. A contemptible farce was played between you; it was insisted, he should be so good and so kind as to accept of an Act of Indemnity: daring and bold in his designs, he gloried in the violation of the Constitution; and, knowing your subserviency, smiled at your juggling method of doing your duty to your country, and bungling attempt to save your honour. He entered, however, into the spirit of the farce, and took a measure, in concert with you, to amuse the public; and having amused and shewn you to the public, as you really were, he stopped short, scorning the pitiful shift, and rejecting with affectation the idle attempt to secure his head and your honour.

Having often roared against the suspension of the Habeas Corpus Act, lest your liberty might be restrained in the course of a rebellion, formerly fomented by your friends and adherents, eventually against the accep-

sion of his present Majesty to the throne, you pretended to disapprove of the Minister's adopting a measure of that sort. He despised and rejected your application; he knew he might do it without fear of your resentment; and, immediately after, granted, in part, what had been refused to you, to one of your strongest opponents. He has scarcely missed an opportunity of thwarting your applications in public matters, whilst he has complied with every private one.

In the present great contest, he has *bamboozled* you in your principal object; excuse the expression, I cannot at present recollect one which better marks his treatment of you; determined to establish a despotic Government in America, on the violation of the principles of the English Constitution, he gained your concurrence in his measures, by the hopes of partaking in his power, and partaking in his atrocious rapine.

A large and immediate revenue from your then fellow-subjects in America, to be at your disposal, was the bait he threw out; you snapped at it with rapacity, and entered into his designs in a most selfish and unprincipled manner. But, as the task of subjugating America soon appeared not altogether so easy as it was at first conceived, the ministerial language changed; a revenue was not, he said, *then* the object, but only the dignity of Government, and the supremacy of Parliament. This was alarming to selfishness and arrogance: you took the alarm, and declared, that if a revenue was not the object of the contest, there were no grounds for its continuance. You were then told, that a revenue was still an object; and credit was immediately given to the assurance, although it was directly contrary to what you had heard just before. You thus went on, willingly deceived, until neither the dignity of Government, supremacy

macy of Parliament, or even your first and great wish of a large and immediate revenue, are any longer either the true or pretended object of the nation, but self-defence and preservation.

To the Minister, you have long ceased to be the men of spirit, which your interest, honour, and duty, require you should be. To your fellow-subjects, you are proud and rapacious. Talk not then of spirit; although it has been supposed to be a spirited speech, which offered the Minister thirteen shillings in the pound to effect the subjugation of America, it was the offer of thirteen shillings to gain fourteen, and therefore only worthy of a designing huckster; it was the offer of one who had thrown the whole burthen of the land-tax from his own shoulders on those of his tenants, and of one who is said to be bargaining with the Minister for a title in his family.

#### L E T T E R V.

If the principle and object of the war were bad, the spirit in which it was commenced was bad likewise. It was not entered into with real spirit, but apparent cowardice; it was entered into, because the British nation was strong, and the Americans weak. The nation was, in their own opinion, the bravest on earth, and the Americans the most pusillanimous; their conquest would, it was imagined, be an easy work, or it had not been attempted. War which is generally a choice of difficulties and dangers, in this instance changed its nature, and was considered as a certainty of festivity and triumph; it became a pastime, in which the boys of quality might safely amuse themselves; they went to America, not as soldiers, to reap the laurels of an hard earned toil, but to look and speak big to an affrighted banditti; and to please, with senseless tales, the fond mothers

of a tale-bearing Court. Their going was made a holiday to an admiring and vain-glorious croud, all anticipating the triumphs which were to ensue.

The nation has, or ought to have, learned a language and conduct of modesty. The most favoured Commanders have returned defeated and disgraced. They who left the presence of their Sovereign in honour due to the most accomplished in the art of war, have been openly abused for their want of courage, capacity, and integrity; and, to the shame of all spirit, it is now asked, which of them has repented the insults which the hirelings of the Court have thrown upon them? Except Burgoyne, not one! He has stood forth in vindication of his honour, when it might have been done by others with better reason, and greater probability of success. They have tamely submitted to an impeachment of honour, without daring, or being willing, to justify themselves to the nation, or calling to account the designing slanderer who has made them the scape-goat of his own bad Councils. Indeed, and indeed, there is no great sign of real spirit in this behaviour; the whole is marked by a tame submission to, and acquiescence in, the will of the Minister. Each receives his pay, secures the emoluments of Government, which do not exist, suppresses his just resentment, and is heard of no more.

If such are the principles and conduct of the Commanders, what could have been expected from the common men who composed the army, but the spirit of massacre and thunder? A great part were hired for the purpose; this vile disposition of the foreign troops was the ground-work of their recommendation; the Americans were threatened with, and cannot forget, their devastation. It was the murderous warfare of the Indian which made him the ally, and the insidiousness

insidiousness of the negro that made him the friend of Great-Britain: the Englishman himself was debauched into such acts of cruelty and robbery, as will ever disgrace the name and nation of England. The forfeiture and confiscation of the property of the Americans were the baits which roused the army sent thither; when the poor wretches, thus seduced, claimed on their arrival in the country the right of plundering, all discipline was lost; that which gave the boasted spirit of the army destroyed it, and rendered it a perfect banditti.

#### LETTER VI.

Where then shall we find the spirit which is so much talked of? If the nation has no longer that firmness and those principles which made them free at home and formidable abroad, if the country gentlemen have lost that independence which rendered them so troublesome to the preceding Kings of the Hanover line; and if the military are insensible to their own honour, let us see whether the Minister has the appearance of spirit in any one respect—the reality is not to be expected from him.

When he talked of the dignity of Government, no one was imposed on who knew its true nature; nothing was meant thereby but the support of his own consequence and power in the State; a consequence and power that could not be supported, but by the means and opportunities of corruption. When he talked of bringing America to his feet, the vanity and insolence of the man alone occurred to the mind of the hearers. No real spirit can be shewn in the presence of a bribed Majority, who are sure to applaud the presumption of their Paymaster with a vehemence proportioned to their hire. Beside this talk of dignity and spirit, he made no pretence to them; abusing every man to whom the execution of his mad system was intrusted for want

of success, he dared not to call a single officer to account, except a Commander in the navy for intoxication. He has chosen to make his peace with those he has outraged, by the lowest servility and the basest corruption. To the Americans he at length submitted, endeavouring to obtain that peace, meanly and insidiously, which the utmost threats, insults, and force of arms, could not produce. The shew of spirit being gone, and the hour of insolence passed, entreaties, flatteries, and corruption, have been substituted in the room of force, insult, and demands.

The former high-sounding pompous language, and the late knavish sycophancy to the Americans, are not the only marks of the Minister's want of spirit; it is seen in every instance of his conduct to the European States.

At the moment he seemed to depend on this high spirit, and numerous resources, the most servile court was paid to the Princes of Europe not to assist those, who, it was pretended, had neither spirit nor resources. He affected to trust them, whom Great Britain had never trusted before, and branded with hypocrisy those who had been faithful from the earliest time. The whole of such a conduct was founded in meanness, and met with a merited return; every thing was promised, but nothing gained; trusting, however, to such promises, the nation was necessarily betrayed into its present state of dishonour.

The States to whom application was made to forbear affording assistance to the oppressed, thought they did every thing that could be expected from them when they gave assurances. They could not imagine the English Ministry was so foolish as to expect they would forego their interest in commerce, or the opportunity which had been so unexpectedly offered of abusing their rival and enemy. The assurances asked and given were





vantage of a similar folly and madness in her rival? She would not, politically speaking, have been justified if she had not. The situation in which England has put herself, invites reproach, insult, and assault; the invitation is so irresistibly strong as not to be avoided; the chief crime, therefore, is in him who led into temptation, and consequential political evil.

Shall ambition be imputed to France as a fault by England? At such a charge, from such a quarter, America will not be able to refrain from laughter, and all Europe from contempt.

“ But France is the natural enemy of England; ”—the expression is gross, and the idea, however political, is repugnant to Christianity. If, however, she is, and has always been considered as her natural enemy, why was not England more on her guard? Why did she trust to her assurances? Why did she put herself into such a condition as gave that enemy so great an advantage over her?

These charges of perfidiousness, ambition, and natural enmity, refute themselves, or are inadmissible on the side from which they come; there is, however, another which may be supposed to result from them, but which is made with the worst grace imaginable.

Nothing is more common than to hear of the busy and intermeddling disposition of France; that the dispute between Great Britain and the Colonies concerned not her; and, therefore, her interference being most insidiously fraught with enmity to, ought to be resented by both. Had there been the least sense of shame, or principle of candour in the Ministry, these suggestions had not been made. Allow me to ask, what business had the House of Brunswick, and the House of Hesse, to intermeddle in this bloody dispute, ren-

dered more bloody by their intrusion and interference? What did they know of taxation and representation, of the charters of Government, or the rights of freemen? They had no rivalry with, no enmity, either natural or political, to America; nor had either of them a natural or political affection for England. They had not a single motive to wish success to either side; and, indeed, they were so peculiarly situated, that they had no wish but that their own subjects might be cut off, having secured to themselves most ample reparation for their deaths. Are men so unprincipled to pass without ignominy, not having, as others have, in justification of themselves, even the pretence of their own honour and the good of their States; but, on the contrary, sacrificing their own honour and the happiness of their poor people, for the attainment of base and enormous stipends, to gratify their lusts and voluptuous disposition.

It is to such that England, who represents the conduct of France, resorts at this time. The most ignorant of the most senseless, and the least interested in the dispute, are considered by her as the best for the prosecution of it. Has she not made application to the Russians, whose barbarous interference hath hitherto been stopped against her will? Has she not exhausted her treasures in bribing every Prince in Europe to sacrifice the repose of their subjects to assist her against America? In short, has she scrupled to collect where she could, and what she could, to serve her purpose?

What does the savage, enjoying natural freedom in its full extent, know of the prerogatives of the Crown? What idea can black slaves have of virtual representation in the Parliament of Great Britain?

If the allies of England are either unprincipled mercenaries, savages, or slaves, how can the clamour  
against

against France for offering, or blame the Americans for accepting, her assistance? Is it that neither had a right to do what they have done? But who is a proper judge of this question? France and America are surely as competent to it as England; and yet, perhaps, they might safely leave it to the judgment of England herself. Will she who appealed to the decision of the sword protest against it, when it has determined against her? Having declared, contrary to the sound sense and humble supplication of America, that there could not, nor should be any limited Government, she made her choice: *aut Cæsar aut nullus*, was the language and principle after proceeding: not succeeding as Cæsar, the alternative is obvious. It may be thought, however, that England not having disclaimed her right, whatever the fact may be, ought not to be interrupted in her claim. Are formal declarations necessary, an American would ask, when things speak for themselves? Who thinks a declaration of war necessary at this juncture? Yet is it not as much a war, in all its horrors, as it would be with the farcical parade of heralds? Things being plain in themselves, the extraneous evidences need not be strong. When James the Second had, during the course of three or four years, done every thing in violation of the Constitution, and to the oppression of his subjects, the circumstance of throwing the great seal into the Thames was trifling; his abdication was sufficiently manifest without it.

#### LETTER VIII.

Should it be said that all the instances which have been adduced to shew the loss of the original spirit, have happened in the heat of action; from the advice of inconsiderate Ministers; from the inattention of the country gentlemen, who, it is known,

are not the best informed men in the kingdom; or, from the mistakes natural to the body of the people; that, notwithstanding all that has been said, the nation has acted on the soundest principles of policy, magnanimity, and justice; there is no Englishman who, wishing to be reconciled to himself, would not make and take these apologies for the national conduct; who would not, with a kind of honest prejudice, such as one as shewed a remaining sense of shame, endeavour to impose upon himself: what success such an Englishman may have in his endeavours to quiet his conscience, and satisfy his honour, is not difficult to say; but it is certain, one step has been taken in this deplorable business, which, not having one of the foregoing palliations, has confounded every idea which the Americans entertained of policy, justice, magnanimity, valour, honour, and humanity.

The cries of the American prisoners, unnoticed, or scoffed at, in the dungeons of America, have sounded throughout Europe, and claimed the general commiseration. The insults which the unhappy sufferers met with, have violated every sense of decency; the misery they have undergone has shocked humanity. A compassion for the distressed of fellow creatures, and a strong feeling for the national honour, induced a few to afford some small relief; in vain were the laws exerted to check and punish these virtuous feelings. A body of men stood forth, avowedly, to mitigate the horrors of war on this side of the Atlantic, and they did mitigate them by an immediate succour, and suggesting to the Minister a less degree of implacability in future.

On the other side, remonstrances and entreaties were ineffectual; nothing but the threat of retaliation could put a stop to real barbarities. The sufferings of these Americans,

however, were such as others have undergone from remorseless enemies. Insult, famine, disease, and death, were their lot. They bore these misfortunes like men, for their honour and their conscience were not assailed. The misery would have been unsupportable, if the negotiation which was entered into by the Minister with the East-India Company had been carried into execution; it failed, not because of its inhumanity, but impracticability: if it had not failed, many a brave and virtuous citizen of America would have been compelled to have become instrumental in perpetrating the slavery of the most innocent people on earth, to satisfy the avarice of the most corrupted. Others, however, and those not few, have suffered the greatest misery that brave men can feel in this life.

An Act passed the Legislature of Great Britain, composed of the King, the Lords Spiritual and Temporal, and Commons, assembled in Parliament, which having authorized the seizure of American property, and put the people out of the protection of the Crown, to the astonishment of all Europe and horror of all America, compelled those who were taken fighting in defence of themselves and what they considered the cause of liberty and their country, to turn their arms against their fellow-citizens, their friends, sons, and fathers. The people of Britain think themselves well warranted in this procedure; to an American it appears to be unparalleled in the history of mankind.

He understands, that captives of war are now spared all insults, outrage, and dishonour; that it is now universally acknowledged the conqueror's power does not extend to affect the life or honour of his prisoner, but only to prevent his escape, and doing more mischief; that, though there are instances in

the history of barbarous nations where prisoners have been ordered to march in front of a battle, and stand foremost on the parapets of an assaulted town, yet the cowardice and inhumanity of the proceeding have brought a contempt and abhorrence on those who have practised such malicious mischief; that it could not have been expected, in these times of civility and Christianity, men would have been forced to fight against their honour and their conscience, and violate thereby the duty they owe to God and themselves; that this measure is a new species of Machiavelianism; that, if the Americans were even considered as criminals, this outrage ought to have been spared; that, though barbarous nations might, in sport, have condemned offenders to fight and kill one another; yet, that not one of them who had, or pretended to have, an high spirit and numerous resources, ever made their criminals associate in war; that it is against the nature of punishment, which is meant for correction and for example, to oblige the offender in his very sufferings to commit additional crimes; that such punishment is a torture of conscience, and a stab to honour.

This is the language of America; for which, if there is any foundation, an Englishman may surely say—he trusts in God that the whole of that procedure may be revised; that it has already caused irreparable mischief; that it ought to be expunged out of the statute book of the land; that the future historian may not know any such ever existed. This must be the wish of every Englishman who has read, and condemned, the malicious cruelty exercised on William Fell, by Grisser, Governor of Switzerland under Albert of Austria. Thinking, that the dignity and supremacy of his Government were insulted, and denied, on the refusal

refusal of this poor peasant to bow to his hat, this tyrant compelled a father to shoot at an apple placed on his son's head; by the blessing of God, this wanton and inhuman command lost its intended effect; but it had an unexpected one; it induced the Swiss, who had been outraged and insulted for years before, to throw off the Austrian yoke. Although it was a single act of one of the officers of Government, proceeding from the rash violence of one person in a momentary fit of pride, and which affected only one family, it compelled, and justified them in the eyes of God and man, in abjuring all allegiance and declaring themselves immediately an independent people. The Swiss Cantons have been ever since considered as free and united States by all the powers of Europe

#### L E T T E R IX.

Should it be confessed—that the spirit, which has been thus manifested, is most unworthy of the English people; that it has debased them in their own eyes, and in the eyes of all Europe—yet, they have still such resources as will enable them to subjugate the Americans, defeat the projects of all their enemies; and by success, sanctify, according to the judgment of the world, the object and measures which have been pursued. Let us, disregarding all principle in action, and every sense of honour and morality, examine whether Great Britain is blessed with such means as may enable her to execute her designs, and enforce her will, whatever that may be, over the Continent of America.

In doing this, let it be observed, in the first place, that these resources, which were boasted of to incite this contest, ought in reason and justice to have checked and prevented the present fatal system. If Great Britain

had such numerous resources, why was she not peaceably contented with them? why were the blessings disregarded, and misery heaped on three million of people?—resources so applied are curses, and not blessings.

There seems, besides, a great political mistake in talking of resources independent of the affection of, and union with, the Colonies. The mistake was discovered when America was rendered adverse; when her people, her coasts, and her country, ceased to be subservient, and became hostile, the boasted resources dried up. In short, if the resources of Great Britain were independent of the Colonies, her attack on them was most malicious; if she depended on the Colonies for her resources, it was most impolitic.

There are, indeed, resources in this country, to which it will be for her interest, her honour, and security to apply; but these were not, it is probable, the resources which were alluded to; to those resources, however, the welfare and safety of the people, against their foreign and domestic foes, will make an application most necessary; she must establish a domestic economy; she must put an end to the means of corruption; she must check rapine and extortion at home, and she will not be under the necessity of seeking for plunder abroad; and then, instead of invading the liberties of others, she will be able to secure her own, which are evidently declining.

If, without dwelling on the domestic and commercial resources of Great Britain, her foreign and political ones are considered, we shall be soon convinced that they, such as they are, so far from serving her in this dispute, will operate to her disgrace and destruction. The opinion of her high spirit and boasted resources, which the united empire had exerted in an honourable cause, have

have deprived her of every friend to countenance and support her measures, and excited a general combination of the powers of Europe.

When it was determined, inhumanly determined, to carry fire and sword into the Colonies of America, it was obvious that, pressed by sad necessity, the Americans would apply for assistance to every quarter in their power; and it was obvious to every one not blinded by conceit, rage, avarice, and ambition, that almost every power in Europe would for their immediate and proper interest, or, in opposition to the formidable greatness of this country, interestedly or maliciously afford them that assistance.

The only security that could be obtained that such assistance should not be given, were assurances and promises which, trifling and ineffectual as they were, the Minister, having sued for them in the humblest manner, was contented with: he could get no other, and they answered his purpose; they served to deceive the people, and enabled him, by that deception, to persist in the system which he had adopted. The States to whom he applied, were lavish in their assurances; the tendency of them was seen with pleasure; it was seen that they would cajole their rival and enemy into inextricable mischief. Thus those who would not trust the Americans, formerly in the highest confidence with other Kings, and other Parliaments, charging them with hypocrisy and falsehood, trusted implicitly to the faith of France, the interest of Holland, the friendly disposition of Spain, and the general interest of Europe.

To suppose, it was not the interest of the powers of Europe to make the Colonies independent of Great Britain, and thereby share in their traffic, so long selfishly or politically monopolized, was to suppose they

were ignorant of the benefits of commerce; to urge to those powers the shame and consequences to themselves of assisting subjects in revolt, was to treat them as idiots in politics; to imagine they would not take advantage of the distress, which the folly or wickedness of the public councils would bring on the nation, and thereby weaken that empire which was so formidable to all, was to suppose they knew not their interests, and would not pursue them to the utmost.

Does not Spain know, that this island must soon cease to be an insulting and dangerous maritime power, when the Colonies are lost; and, by consequence, that there can be no future cause of dread from her? and knows she not, at the same time, that, as Independent States, the Colonies can have no weight in the general system, for ages to come? has she forgot, can she ever forget, the affair of Falkland Island, when the united empire made her submit to the commands of the King of Great Britain? she may, with seeming cordiality, propose terms of accommodation, which she knows will be rejected with such haughtiness as to give a colour of charging the nation with insupportable insolence, and justifying an open declaration of her general engagements under the Family Compact, and certain private stipulations with France and America: it is supposed, that she has already done much, clandestinely, in favour of the Americans; and that she is prepared to act openly on the same side. It is known that a branch of the family, the King of the Two Sicilies, one of the sons of Spain, now countenances and acknowledges the American flag; this, surely, is an evidence of the disposition, and prognostication of the intention, of the whole of the Spanish line; it is, at least, sufficient to put a Minister possessed of the smallest

smallest degree of wisdom on his guard.

The underhand practices of Spain and open declaration, if necessary in future, may be depended on—their intentions have, perhaps, been already notified. Their interest requires the debasement of Great Britain; if that can be effected without her taking an open part, she will hold her present conduct; but should the ill success of her ally, the King of France, or extraordinary assistance given to England by the Russians, or any other power, demand a direct avowal of her object, she will no longer hesitate in the part to be taken. Spain sees, at present, all her wishes accomplishing. England, that lately acted offensively against the House of Bourbon, is now acting defensively against a new raised power, and that not with the greatest success; should she meet with any, it will make her ruin surer; the honour and interest of Spain will then make a change in the present system of the Court most necessary: it is known, the Ministry of Great Britain depends much on its influence at Madrid, and management of the Spanish Ambassador at London; they, however, who remember the conduct of the Spanish Minister at the beginning of the last war, ought not to be deceived again. Had Spain entered early into the contest, before the navy of France had been annihilated, it had been better for her; but, whatever mischief her delay might have caused, she found herself compelled by every tie of interest, honour, and solemn compact, to avow herself openly against England, of whose insolence, in rejecting her offered mediation, she complained.

Her interest, and future conduct being thus obvious, can any credit be given to the assertion of one of the Parliamentary Commissioners,—that Spain had, of her own notion,

sent a formal disavowal of the conduct of France? such a measure would prove, that the Court of Spain was much overawed, or under the influence of the King of England, thus voluntarily to enter into his views and interests; it shews an extraordinary charge of disposition: this assertion, perhaps, is as false, as the two others which the Commissioner has pledged himself to prove; his own words in Parliament shew the falsity of one, and the evidence, when produced, of what passed in May last, will contradict the other.

But, whatever may have been asserted by the Commissioners, to deceive the Americans with respect to the conduct of Spain, it will only shew him the grossest political dupe, or deceiver, existing. The Americans know the disposition of Spain towards them much better. They have reason to be, and are grateful to her. They know she has done much for them, and they trust she will do more. If she has told the Court of London, that she disavowed the conduct of the Court of France, it will be found the open avowal of the cause of America was the only thing to which she objected. She might have certain reasons for avoiding the taking an immediate part in the war which might follow from the open avowal of the Independency of America; those reasons exist no longer; and if Spain has not already openly declared her intentions, it will not, if England persists in her system, be long delayed.

#### L E T T E R X.

He that expects the States of Holland should strictly fulfil the assurances given, must be ignorant of their general policy, and particular interest in the American question.

Will the Dutch, who scruple not to trade with their declared enemies, furnishing them with powder and ball

ball, the means of their own destruction, ever forego an advantageous trade with any power, in any situation? can assurances be asked, or given by any Free State, that it will not promote universal freedom, particularly when its own interests are concerned? it is not to be expected from the Dutch; they must see with particular pleasure the struggle for liberty, and the act of navigation, which was made purposely to injure them, virtually repealed. They cannot but exult, when they find the trade of the Colonies now more free to them than to their envious and monopolizing neighbours.

The people of Holland are at this time irritated in an extraordinary manner. Having, some time ago, complained and remonstrated against the English depredations, they have been insulted in the eyes of Europe in the answer given to their Memorial; and, no redress being afforded them, the Merchants of Amsterdam and other great cities have lately called on the Stadtholder to do his duty to his country, and resent its losses and dishonour: in this application to him they mark their sense of the conduct of Great Britain when they say, "The English have dared to set up a pretended right of convenience, which, being entirely arbitrary, renders every kind of treaty useless, and makes their safety depend on the caprice of their neighbour." And, in the language of all Europe, they assert, that "THIS IS THE MOMENT wherein they may secure themselves from the PRESENT AND FUTURE TYRANNIES of England, and wherein the prosperity of their commerce may be consolidated." In every part of this Memorial, which is a long one, we see their sense of the conduct and miserable condition of the kingdom,

and may from thence judge how they will act.

In short, if it is certain that there is not a people on earth who understand their commercial interests better, who are more jealous of the maritime power, and complain more loudly of the insolence and injustice of Great Britain, than the Dutch, it is evident their friendship cannot be depended on as a resource.

France is not ignorant of her interests, nor is she fearful of pursuing them in the most open and declared manner. The trifling arguments made use of to amuse, and threats thrown out to deter her from affording assistance to the Americans were in vain. It was her interest to enter into, and it is for her honour to complete her engagement. She knows full well, that if the Americans are again brought under the domination of Great Britain, she has done too much to be forgiven by an enraged enemy. The commencement, prosecution, and event of the last war cannot be forgotten: the power of the united empire was too much for her; but, being broken to pieces, she knows it must now be necessarily weak. France has boldly put herself at the head of the union against the power of this island, of which all Europe is jealous, and in the defeat of which they will triumph.

On what friend then can Great Britain depend? What resource has she in any of the states of Europe? Can the petty Princes of Germany be considered as friends, and allies? They are too wicked to be boasted of, and too mercenary to be relied on. The Court of Vienna may, perhaps, join the Family Compact; and, taking advantage of the American troubles, call to account its vassal, the

of for ingratitude to his liege Lord, wherewith he is charged. He that depends on Prussia for any thing, must be weak indeed; for

for the King of Great Britain to do it, after what has passed between them, would be the height of stupidity.—He has already interfered in the American war, and shewn his disposition where he had it in his power. He may have done more than is, at present, publicly known. It is, however, certain, that he wishes not for peace, but will rejoice at every defeat which those may meet with, who insinuated they had conquered and made peace for him.

#### L E T T E R XI.

But, Great Britain has friends. She has Portugal, who has shewn a real attachment to her, has done more in her favour than any of her neighbours, has sacrificed herself, having contrary to her interests actually forbid the Americans entering her ports; this has the appearance of a solid friendship; the imports of corn from, and the exports of wine and fruit to America, being the most profitable and beneficial branches of her commerce. Unluckily, however, the cause of this shew of friendship is too well known to deceive any one; and, being known, is rather an evidence of distress demanding support, than of a powerful alliance affording assistance.

Attacked by her formidable neighbour, because of the embroiled situation of our affairs, there was, nevertheless, no one to whom she could apply but Great Britain; who availing herself of her distress, which was, in a great measure, brought on her by our connection, insisted on her taking this impolitic and ineffectual step, without having the inclination or ability to give her any assistance: in consequence of which, she is now obliged to submit implicitly to Spain, and accede to the Family Compact, with a thorough sense of the ingratitude and weakness of Great Britain; against whom

VOL. VII.

her ports may be shut in Europe, as they already are on the coast of the Brasils.

Russia, however, is surely willing, and capable of being a friend. Let those who pride themselves in, and depend on that alliance, recollect, she is likewise capable of being the most dangerous enemy. The policy adopted towards the Colonies, Portugal, and Russia, has a plain and direct tendency to the ruin of this country. The neglect of Portugal, and injustice done to America, will, one day or other, call for a public enquiry; but the injudicious favour shewn to Russia will be productive of its own punishment, and that a national one. To send the most skilful in maritime affairs to build, fit out, and navigate the Russian fleet; to instruct them in all naval knowledge, lead them into the Mediterranean, and countenance them in their endeavours to establish themselves in a port there, is the highest folly; and may, eventually, produce the utmost evil to this kingdom. Russia will now most certainly become a maritime power; she has the natural means, and only wanted the assistance of England for attaining a formidable greatness at sea—the impolicy of such assistance is obvious. No new power can arise in Europe, especially a maritime power, without affecting the old ones in a most sensible manner; Great Britain must be affected, as such, more than any one: she must be affected, although Russia should always continue in her alliance. She, who commanded the naval stores of America to the utmost of her wants, is now dependent on Russia for them; the cost of which, both from the increased demand in the country itself, and the extortion natural to a single market, is already enhanced beyond support.

Should, however, the present cordiality between them be interrupted;

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rupted; should a new revolution, and revolutions are quickly brought about in that country, produce a new interest and system of politics, the fleet of Great Britain must perish for want of naval stores; and should Russia, in such a change of politics, act against her in conjunction with her present enemy, she will be invaded from the north and south; and such invasion will be irresistible.

If dependence is placed on the assistance given by the unprincipled mercenaries of Germany, or her of Russia, for the means of putting an end to the war, the mistake in politics is great. It is the natural interest of the other powers of Europe to emancipate and establish the Independency of America, and to weaken the power of England by the continuance of such a war as the present; what, however, is the interest of the declared enemies and rivals of Great Britain, she herself has made the interest of her fatal and pretended friends:—it is the interest of Russia, and of the German Princes, that the war should continue; England is rendered by it dependent on the one, who gains at the same time an exorbitant ballance of trade, and lavishes her treasures on the other, for the gratification of their unbounded lusts.

In short, that policy which quarrels with America, neglects Portugal, depends on the mercenary Princes of Germany, and favours Russia, most evidently depriving England of every real resource, and holding up those only which are most fallacious and dangerous, ought to be exploded as equally weak and wicked.

## L E T T E R XII.

Should the European political resources be found ineffectual, Great Britain need not despair, whilst there is a savage ready to embrace his hands in the blood, or a guinea in the Exchequer to corrupt the

integrity of America. This is not only the language and sentiments of some, but it is the system of the times; such ideas and such practices, however, cannot but make us blush, at the same time that they make us shudder with horror.

When the most regular and best appointed armies this country ever saw, had been baffled and defeated in their attempts, and the operations of an open war been found ineffectual to procure that peace which is become so necessary to the kingdom, the Parliament determined to enter into a fair and candid negotiation; and for that purpose, to shew the purity and cordiality of its intentions, its Commissioners were sent from her own body; not as spies, or as men corrupted or practised in corruption, to deceive and injure those to whom the olive branch was held out, but to settle the differences, on the most generous, free, virtuous, and lasting foundation. The Commissioners, thus intrusted, applied themselves to the discharge of their duty with seeming humility, candour, and good faith. One of them, in particular, signalized himself in his protestations for the honour and happiness of America; talked much of his own integrity, and of banishing all subjects of discontent and distrust by great and honest means. Alas! although the hour of insolence was passed, that of deceit now began. This very gentleman has been charged with attempts to bribe and corrupt the Members of the Congress; and, in consequence thereof, all intercourse with him was disclaimed.

At the same time that recourse was had to the arts of corruption during a pretended candid negotiation for the attainment of a brotherly and Christian-like peace, the Indians were stirred up to break in upon the defenceless inhabitants of the back country; the destruction of

of the aged, of women, and of children, were the avowed object of their warfare. The friends and allies of Great Britain came like thieves and assassins of the night.— At the moment of a solemn negotiation, offered by the Parliament of Great Britain to the Congress of America, to establish the former cordiality according to the dictates of reason, justice, and humanity,— at that very moment were these infernal wretches stirred up to violate every principle derived from God and nature.

If such is the spirit, and such the resources of Great Britain, there can never be the least degree of friendship, union, confidence, or connection, between the people of this island and those of the Continent of America.

Under this conviction, and state of political reprobation, the public councils and conduct are, in future, to be pursued. America is said to be too much injured to forgive, or be forgiven. She that has withstood every attempt made on her, must now be treated in an unheard-of manner. She that is not to be frightened, will not be corrupted, and cannot be forced into such an union with Great Britain as is expected, must now be harrassed, laid waste, and annihilated; not because she is an enemy, and may not be made a friend in the way that friends are made, but because she will not be brought to a subserviency to the will of the people of Great Britain either by force or fraud.

In the pursuit of this mad and horrid project, the object pretendedly in view will be defeated; the confidence and affection of America will be entirely eradicated, and a closer connection will be entered into with the rivals and enemies of this devoted country.

If the present vindictive language

is only held to frighten the Americans into the measures of the Ministry, it is strange there is not yet a little more wisdom learnt: will the Americans be frightened by the threats of a baffled enemy, after having despised his unchecked boastings, and fullest vigour? Such shallow politics will but put them on their guard; will make them supplicate the assistance of the Supreme Governor of the universe,—he whose authority is founded on unquestioned power, justice, and goodness;—will prepare them to meet the utmost malice of the times with retorted mischiefs, and bring such signal ruin on the contrivers and abettors of this system, as may in future be a tremendous lesson to mankind.

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*For the REMEMBRANCE.*

*On the Propriety of extending the TRADE of IRELAND and the Advantages that will thereby accrue to the MANUFACTURERS of ENGLAND, and the STATE in general.*

The present question is, perhaps, one of the most extensive and important that ever came before the British House of Commons, and yet seems to be very little attended to; it is no less a question, than whether Great Britain will put those means which she has in her power into execution, to render herself more powerful than ever she has yet been, and more independent than any nation ever was; and, that by a well-connected strength within her own dominions, without the assistance of any distant colonies whatever, by only giving all possible encouragement to the industry of her own subjects at home, and taking off all restraints upon their exchange of commodities; and this is surely a piece of justice that all subjects are intitled to, independent of the manifest advantage it would be of to the state; it is such a policy, as renders very small states rich, powerful, and happy,

happy, but would much more a country of the extent of Great-Britain and Ireland. It is strange, that in a question, that appears so plain, the general prejudice of the nation should be on the other side; however, there is reason to believe, that the opinions of men in general are much altered within these few years, and that an essay of this kind will have a more liberal reception than could have been expected before our American disputes; happy disputes for this country, if it make the Ministers of the present hour attend to our domestic advantages, and not look for defence and prosperity at home to dominions on the other side of the globe, we shall, in a few years, have reason to revere the memory of that man who first gave rise to our disputes, when America is separated from us for ever. In order to understand how our loss of America may be amply made up to us, by a more liberal policy at home, let us recollect a point that has been very well treated by several modern writers, particularly by Smith, in his *Wealth of Nations*, viz. that the riches of a nation does not consist in gold and silver, but in the number of subjects usefully employed, and the quantity of commodities existing at any time within the kingdom, and produced daily; this is one of the ideas upon which our commerical laws have been made, and all our colonies founded, viz. to raise up a great number of people abroad, with such a variety of wants, as would give employment to a multitude at home to supply them: now, if the same demand, or a much greater, can be procured at home, than ever we yet have been able to produce by all our settlements abroad, it will follow, that we shall be richer than ever, and infinitely more powerful; we shall have a power that ought to be less expensive to maintain, and councils less distracted; as our dominions will be less extensive, the inhabitants will be more attached to its interests, than with their affections diffused abroad as they are at present; and our force, which on occasion may be greater, will act with more effect, and let us first see what increase of demand we may have from Great-Britain alone, independent of Ireland, and the value of a few inhabitants at home, for that purpose, in comparison of a great number abroad; it will be readily allowed, that the inhabitants of England, in general, are richer than the inhabitants of any other country, and much more so than the people of America, and that the commodities any person makes use of, or requires, are in proportion to his fortune: if we should, for example, allow that the English, in general, are twice as rich as the Americans, it will follow, that one Englishman will consume twice the quantity of the manufactures, &c. of England, that an American will; but the Englishman consumes nothing but English produce; the American, considering he consumes none of the provisions of this country, does not consume above one fourth what an Englishman does; therefore, one Englishman is equal, in point of consumption, to four Americans; if, therefore, we can increase our people 600,000 they will be a demand equal to all America, allowing they have two millions and an half of people. How are we to procure this additional number of people? There is one way certain, besides others that are probable, viz. by inclosing all the commons, dividing them into proper farms, and in four or five years you will have most of them in cultivation; premiums and bounties should be also employed for that purpose. Indeed, it must surprize every stranger to see the quantity of uncultivated land in Great Britain, and hear how attentive Government have been to the improvement of countries at an immense distance, similar to our own; and

and that every intelligent person in Europe forefaw would one day prove a severe plague to us, and become an empire or empires greater, and more magnificent, than the one they had separated from. The commons and waste lands in England have been stated at not less than one fifth of the whole, about 1,000,000 acres; it is said by some of the most intelligent writers on husbandry, that it will require ten labourers to cultivate 300 acres with any degree of propriety. If that is true, it will require 36,666 labourers to cultivate the commons, independent of their families, and them we may certainly allow to be more than double. But, if we allow for variety of deductions, that there is not so much land uncultivated, that some can never be cultivated, yet we will scarcely reduce the number increased by the inclosure of commons alone below 600,000, which without any other source of improvement would make up for the loss of America. But there is another, and a very extensive one, our sister kingdom. It is difficult, indeed, to account for the policy of Great Britain in respect to her. It is just such conduct as if the Parliament should say to the inhabitants of Yorkshire, Gentlemen, we love London and Middlesex, because we reside in it; we hate you, because you are three degrees north of us; you can cultivate your lands well, and spare a great deal of wheat, butter, &c. to sell in our market, to the prejudice of the Middlesex farmer, who could get four or five times the price for his wheat, butter, &c. if you did not interfere; you make a great deal of cloth, which prevents our manufacturers here from getting ten times the price they do at present; we will therefore cut you off from our market, and from every one we can influence, in order to enrich ourselves by reducing you to beggary; for we will oblige you to take all your necessaries at our market, and

we will not buy any thing in return; by which mismanagement we shall have a great balance in our favour. This we will not allow you, to follow any kind of business, or have any means of acquiring that money, which, however, we expect you will find to pay for our commodities.

This is our system of the balance of trade, and we will hear no arguments against it: there is, indeed, one manufacture you have, which is sheeting, and which at present we cannot make ourselves; as we like to sleep agreeably, for our own sakes, though we do not care two-pence for you, we will allow you to continue that, till we can establish a manufacture of the same sort in Middlesex; but you must enter into an irrevocable engagement, not to raise for yourselves the common necessaries of life, but rather go naked, and live on the poorest vegetables, than interfere in the smallest degree with Islington, Brentford, or any of our most paltry villages. In this manner does Great Britain treat the finest province of her empire; parts of which, indeed the whole, is nearer her metropolis than the remote parts of her own kingdom; a province too that could have no separate interest from her's, and that in her present restrained situation gives employment to more people in England than ever America and the West-Indies yet have done, which circumstance alone would prove how much more important a few people at home are to a number at a distance; a province too that pays an army of 16,000 men, that is no small nursery of bold seamen; such a province deserves a better treatment, were there not other motives that would call with an irresistible voice, if they were generally understood, give a great accession of strength, and an immense market for the manufactures of England, and that permanent and secure.

It will be allowed, in general, that

that all nations and individuals must spend in some proportion to their income: individuals, or a Government, that have credit, may anticipate their revenues, but that does not alter the position. Commerce is nothing but the exchange of commodities; if a country has no mines, it can only procure the produce of another country by what can be spared of its natural produce, or by the commodities produced by the art of its inhabitants; it is impossible for people to buy without something to give in exchange; if we want an extensive market for a new manufacture, we should not look for it on the coast of Labrador, among the Esquimaux; we should more probably resort to the rich improved nations of the continent of Europe. If all the world but England were rude as the Indians, where could our commerce exist; a single manufacturing town could make toys enough to cover our people with the furs of the world; it therefore follows, if we desire to procure the enjoyments of the earth, its conveniences and luxuries, with ease and security, we must not, with a selfish, narrow spirit, confine them to ourselves, but do to others as we wish they should do to us, impart to them the produce of our art and industry, and encourage them to do the same in return; if our neighbours are idle and poor, we shall want many of the enjoyments we should derive from their hands, and of course many of our own manufactures, which are made up and improved by the demand from abroad; it is therefore clearly the interest of our manufacturers that their goods should be sold at a market of the rich and not of the poor.

To such a state has England reduced Ireland by her restrictions on her industry, that out of two millions five hundred thousand inhabitants she contains, at something less than five to a house, not above one million are

said to be so employed as to get more than the meanest subsistence; so far from being able to lay out any thing on the produce of England, they go half naked, and the few cloaths they wear, are a coarse manufacture made at home, and worse than the dress of Indians. They are as ill lodged as the hogs of England; and as to furniture, it consists of a few rushes or heath for a bed, a horn spoon, and an iron pot. What use such a people can be of in such a state, to the kingdom of Great Britain, or what policy can authorize any government to reduce a considerable part of its people to so great wretchedness, is, I own, beyond my power to conceive; yet these very people are as well disposed to industry as any in the world, every little advantage they possess is wonderfully improved, and all to the prodigious profit of the people of this country. They have been rapidly improving their linen manufacture, and have as regularly laid out its produce on the manufactures of England; some years ago, the markets of England were opened for their beef, and the consequence has been, they have taken one third more manufactures than they did before; does it not then follow, give the remaining 1,500,000 people the means of acquiring wealth, and what a prodigious field will you open for your manufactures, and what employment for shipping; their inhabitants will increase, and your trade will more than double in a short time; and at present it is the most important trade you have, both for numbers of people employed, and for shipping. But let us see what effects your restraints on their trade has, or how it benefits England. The English Parliament, with a view of absorbing every profit themselves (a most visionary idea) prevented the Irish manufacturing their own wool, in order to buy their raw materials cheap, and sell the cloth to the same people

people clear, as if the Irish could create money out of nothing to pay them with; and what is the consequence, they have injured materially the sale of their favourite manufacture, and entirely lost the sale of a variety of other manufactures the Irish could have paid for, by working up their own wool; that they have hurt instead of benefitting their own manufacture is plain, from the French underselling them at numbers of markets abroad, almost entirely by means of Irish wool; the fact is this, France produces a great deal of wool, but coarse and short; Ireland produces a great deal of wool, both long and fine. The French wool will not work up into any kind of tolerable cloth, without a mixture, it is said, one third, either Irish or Spanish, or West of England wool; it is so necessary to their manufacture, they will give any price for it, so great even as to induce our West of England farmers to smuggle a considerable quantity to France, and of course nearly all the Irish wool is sold there; so that instead of Ireland working up one pound of wool, which could not interfere with this kingdom, as all the produce would be spent here for other manufactures, the French are enabled to bring three pounds of wool, manufactured into a cheap kind of cloth to market, that whenever it comes, prevents our sale entirely; whereas the French, without the Irish wool, could only make a very coarse bad cloth, that never would interfere with us. Such are the common effects of regulations of trade, as they are called, within the same dominions; but if all subjects were equally at liberty to follow that kind of industry most suited to their situation and genius, and no restraints on the exchange of commodities, it would, like the circulation of the blood, give life and spirit to the whole

body; the present system is as if a man should prevent the blood flowing into one part of his body, to render the rest the stronger; it is really amazing, that so enlightened a body of men as the English Parliament should follow at this day so narrow a scheme of policy, or put the little supposed interest, for it is truly no more, of some paltry village, in competition with the general good. It was this policy, carried to a greater height, has ruined Spain, and rendered it from being the finest nation of Europe, the contempt of the world; from their preventing the transporting the produce of one province into the others, sometimes by heavy duties, sometimes by absolute prohibitions, confiscations, and numerous subtle restraints; in some parts of the kingdom, they have at this day no roads, and in the others, they scarce deserve the name. Their inns are not so good as our poorest alehouses, but you meet poverty, ignorance, and despondence every where; may we not profit by their errors, and as far as we have followed their absurd conduct, rectify our own.

But let us turn our eyes to Switzerland and Flanders, and admire their laws! See countries of small extent, populous, rich, and powerful; from them we have received, and may yet, many useful improvements; we may learn, that a spirited cultivation, and an internal commerce will much more than all the external trade in the world, render a small territory full of people, independent of other states, and extremely happy. How much more a country of the extent of Great Britain or Ireland! Attend then to the natural advantages of your own country, which are prodigious, and more than make up for the loss of two Americas, and this prosperity will be permanent and secure. Leave unhappy America to herself;

you

you will still find in her an encreasing market for your manufactures, till such time, which is far removed, she shall be so peopled, as not to look at a distance to supply her wants.

*For the REMEMBRANCER.*

From the various ill successes that have attended this once respectable country, it behoves every man who retains the least regard for its political existence, to search out the causes from whence our misfortunes have arisen, and likewise to examine on what resources our safety depends. I had heard great complaints of mismanagement in the naval department, which was as positively contradicted by those who had its direction; I therefore have endeavoured to enquire and find the following to be the result :

The Surveyor of the navy reports in 1776,

	Line of battle.
That there were in service and guardships	20
Fit for service	38
Building	14
Rebuilding	9
In want of repair	58
Total in 1766	139

The Surveyor reports in 1771,

Fit for service	81
Building	14
Repairing	12
In want of repair	40
Total in 1771	147

I find that between 1771 and 1775, 40 sail of the line were sold as old stores, such old stores being, I am informed, *perquisite of office*. I found, on enquiry on the river, that several of those ships were not out of a state of repair, particularly the *Africa*; which ship, I am well informed, would for 3000l. have been

made good as new. Several Spanish ships might, for about the same money, have been repaired in the like manner. If I say wrong, let Mr. \_\_\_\_\_ contradict it who broke them up. I then concluded, with forty ships less, the ordinary expence of the navy would have been considerably reduced; but on examining the estimates as laid before Parliament, I found they were considerably increased. This I own surpris'd me much, as I had heard it repeatedly boasted how well the navy was managed; and I really began to have some apprehensions that there might be some venality even in the naval department: but I was set at my ease again, by hearing it repeatedly asserted, in an august assembly, that our fleet was never in so fine a state, and that it was much superior to that of France and Spain together. Our ill success, and the ill condition in which it was said to have lately returned, led me again to enquire the truth. I found, instead of increasing the number of our ships since 1771, they were lessened, not reckoning the forty sold before 1775, then I had recourse to the grants of Parliaments, and found that since 1771 there had been granted for repairs, building, and rebuilding, no less a sum than three millions. I could not help then remembering what I had seen advanced, that if we had burnt the whole of the fleet in the year 1771, more money has been granted than would have built it again all new, and finished half as many more ships into the bargain. I see vast sums charged separately for stores; but as I have not had an opportunity yet to visit the store-houses in the different dock-yards, I hope I shall find our magazines most plentifully stocked.

Your's, &c.

An OLD SURVEYOR.

*Whitehall, February 22, 1779.*  
*Extract of a letter from VALENTINE*  
 MORRIS, Esq. Governor of the  
*Island of St. Vincent, to Lord*  
 GEORGE GERMAIN, dated St.  
*Vincent, January 1 and 3, 1779.*

My duty and the times oblige me to be very troublesome in my correspondence, but as I have great reason to believe Admiral Barrington is too closely blocked up at St. Lucia to give your Lordship any information respecting himself, I suffer, notwithstanding the present embargo, a vessel to sail from hence bound to Lancaster, in order to acquaint your Lordship, additional to what my last of December 29, and the enclosed newspaper, which is pretty exact, that, on the 28th instant, Admiral Barrington was still so close blocked up at St. Lucia, that two different vessels I have sent to give him intelligence, and to receive such, could not get to him. On the 29th another vessel I had sent to Barbadoes, to learn if Admiral Byron was arrived, when within six leagues of land, as another Dutch vessel with Dutch papers were chased by Cunningham, (who lately infested the British seas) quite to the ports of this island, the Dutch vessel having been brought to and long detained by Cunningham. The Captain and a passenger learnt from the crew that Byron was not yet arrived, although eight of his vessels only were by the French expected hourly; and Cunningham was with others cruising there, to carry the news to D'Estaing, when he should arrive.

I have another swift-sailing schooner, which I sent with letters from Admiral Barrington to Barbadoes, and which he entreated me, if possible, to get conveyed thither. I have directed the Captain of her to proceed to the Admiral, if possible, after going to Barbadoes. I wish he may be able to effect it.

VOL. VII.

January 3. Nothing could have happened more opportunely for the immediate safety of this island, than the happy news the inclosed contains, of which I beg leave to congratulate your Lordship. It came by a person whom I had sent to the Admiral. A French frigate arrived from Boston to Martinico, which occasioned the French fleet and troops quitting St. Lucia.

*Extract from the St. Vincent Gazette*  
*of Saturday, December 19, 1778,*  
*referred to in the above letter.*  
*Kingston, December 19, 1778.*

On Thursday the 10th instant arrived at Barbadoes from New-York a considerable body of very fine troops, commanded by Major-general James Grant, under convoy of the following vessels, viz. the Preston of 50 guns, Commodore Hotham, St. Alban's of 64, Captain Onslow, Monmouth of 64, Captain Griffith, Isis of 50, Captain Rayner, Centurion of 50, Captain Braithwaite, the Carcass bomb, some frigates, &c. and on the Saturday following they sailed, (joined by Admiral Barrington and his fleet) on an expedition against St. Lucia, where they arrived the next day, and landed the troops without opposition, at l'Ance Chec, a little to windward of the Carenage.

On the evening of the 13th the Pearl frigate, Captain Lindsay, arrived at Barbadoes from Rhode Island. She was dispatched by Admiral Byron the 17th of November, to apprise Admiral Barrington, that D'Estaing, with fifteen ships, sailed from Boston the 3d of November, as was supposed for these seas. The Pearl arrived at Antigua the 4th of December, and not finding Admiral Barrington there, proceeded immediately for Barbadoes. About seven leagues to windward of Antigua she fell in with a Dutchman, who had been boarded the night before,

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eighteen



eighteen leagues to windward of Descada, by one of seven French men of war from Boston. Captain Lindsay, to be certain of the fact, sent for the Captain and his log-book, in which he found the circumstances clearly related. The French ships were cruising, and when they spoke the Dutchman was standing to the northward, but afterwards put about, and stood to the southward. It is presumed the rest of D'Estaing's squadron were cruising to windward of Barbadoes, as some vessels were seen from thence the day the fleet sailed, which caused an alarm to be fired there. Byron's squadron, it seems, was driven from the mouth of Boston harbour, in a gale of wind, the 1st of November, and went to Rhode Island, from whence he was to sail in two or three days after Captain Lindsay; so that, in all probability, ere this he is arrived at Barbadoes, which is the place of rendezvous. Immediately after the arrival of the Pearl, who was much disabled, the Boreas sailed with Captain Lindsay's dispatches to the Admiral. The Boreas went away with the fleet, but sprung her fore-top mast, which obliged her to put back.

On Tuesday morning last, Admiral Barrington was attacked at St. Lucia by a part of D'Estaing's fleet, who had with them a number of privateers and small vessels, with troops to the number it is said of 5000. This fleet was intended for the reduction of this island and Grenada, whither they were proceeding, when they observed our attack on St. Lucia. Notwithstanding Admiral Barrington's inferiority in point of ships, he beat the Frenchmen off twice that day, and has hitherto successfully withstood with very little loss all their attempts.

On Friday they had collected 14 of their capital ships, and were in sight. General Grant is in posses-

sion of the Carenage, and of the heights about it. Admiral Barrington with the fleet lies at the Grand Cul de Sac. Several very capital batteries are erected on shore, one in particular of 12 of the Boyne's lee lower deck guns, which are 32 pounders. These batteries are of essential service to our ships in repelling the enemy, and will, with the blessing of God, keep them employed until the arrival of Admiral Byron.

Captain Merry, of the Government brig of Grenada, who passed by here this afternoon, left Admiral Barrington late the preceding evening. He informs us, that the French had landed their troops to the amount of 5000, who had an engagement with General Grant, in which they lost 800, and our loss was only 70. He further says, that they wanted much to re-embark their troops, but had not been able to accomplish it. A transport, with four soldiers on board, and a number of soldiers wives, had fallen into the hands of the enemy; and the Ceres sloop of war was chased off the coast.

*Extract from the St. Vincent Gazette of Saturday the 26th of December, 1778, referred to in the above letter. Kingston, December 26, 1778.*

Since our last two vessels have arrived from St. Lucia, the last of which left Admiral Barrington on Tuesday evening. They brought no news of any consequence, nothing having happened since the 18th instant, on which day the attack on shore (mentioned in our last) was made by the French on our entrenchments. They marched up in three columns, the right led by the Count D'Estaing, and the left by the Marquis de Bouille; and were suffered to advance without opposition so near, that our front line only fired once, and received them with their bayonets. Seventy of the French were

were killed in our entrenchments, and their whole loss, in killed, wounded, and prisoners, is estimated at about 1,600. On our side we had 60 killed, and 100 wounded; among the latter Brigadier-general Meadows, who received a ball in the flesh of one of his arms.

Admiral Barrington remains at the Grand Cul de Sac with his fleet, and is defended by two very strong batteries. The French fleet is likewise at an anchor about a league from him, and consists of eleven sail of the line, and three fifties, besides a number of frigates, &c.

The Ceres sloop of war was taken by six French frigates, with whom she fell in with in a heavy squall.

An American ship from Piscataqua, mounting 18 guns, and a number of men, mistook our fleet for the French, and was taken. She had taken two prizes, a sloop and a schooner.

*Copy of a letter from Rear Admiral BARRINGTON to Governor MORRIS, dated Prince of Wales, in the Grand Cul de Sac, in the Island of St. Lucia, January 2, 1779.*

Sir,

I have the favour of your Excellency's letter of the 31st past by Mr. Collins, and have the satisfaction to acquaint you that Count D'Estaing moved off, with his whole force, the 29th, toward Martinique, leaving us in quiet possession of the Island, which capitulated whilst his fleet was in fight.

I wish your Excellency would be so good as to encourage the mercantile people under your Government to send supplies of provisions hither, of every kind, as they are much wanted for the army, and will therefore meet with a good market.

I am, &c.

SAM. BARRINGTON.

*His Excellency Governor Morris,  
St. Vincent.*

*Whitehall, February 23, 1779.*

This morning Colonel Innis, one

of Sir Henry Clinton's Aid du Camps, who had arrived at Falmouth in the Lord Hyde packet from Georgia, came to town with dispatches from Lieutenant-Colonel Campbell of the 71st regiment, and Major-general Prevost, to Lord George Germain, one of his Majesty's principal Secretaries of State, of which the following are copy and extract :

*Copy of a letter from Lieutenant-colonel CAMPBELL to Lord GEORGE GERMAIN, dated Savannah, January 16, 1779.*

MY LORD,

In consequence of Sir Henry Clinton's orders to proceed to Georgia, with his Majesty's 71st regiment of foot, two battalions of Hessians, four battalions of Provincials, and a detachment of the Royal Artillery, I have the honour to acquaint your Lordship of our having sailed from the Hook on the 27th of November, 1778, escorted by a squadron of his Majesty's ships of war, under the command of Commodore Parker; and of the arrival of the whole fleet off the Island of Tybee on the 23d of December thereafter, two horse sloops excepted.

On the 24th the Commodore, with the greatest part of the transports, got over the bar, and anchored in the Savannah river, within the light-house of Tybee; on the 27th the rest of the fleet joined him.

During the time occupied in bringing the last division of the fleet over the bar, I formed from the Provincial battalions two corps of light infantry; the one to be attached to Sir James Baird's light company of the 71st Highlanders, the other to Captain Cameron's company of the same regiment.

Having no intelligence that could be depended upon with respect to the military force of Georgia, or the disposition formed for its defence, Sir James Baird's Highland

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company

company of light infantry, in two flat boats, with Lieutenant Clark of the navy, was dispatched in the night of the 25th, to seize any of the inhabitants they might find on the Banks of Wilmington Creek. Two men were procured by this means, by whom we learnt the most satisfactory intelligence concerning the state of matters at Savannah, and which settled the Commodore and I in the resolution of landing the troops the next evening, at the plantation of one Gerridoe, an important post, twelve miles farther up the river than the light-house of Tybee, and two miles short, in a direct line, from the town of Savannah, although the distance was not less than three along the read. This post was the first practicable landing place on the Savannah River, the whole country between it and Tybee being a continued tract of deep marsh, intersected by the Creek of St. Augustine and Tybee, of considerable extent, and other cuts of water impassable for troops at any time of the tide.

The Vigilant man of war, with the Comet galley, the Keppel armed brig, and the Greenwich armed sloop, followed by the transports in three divisions, in the order established for a descent, proceeded up the river with the tide at noon; about four o'clock in the evening the Vigilant opened the Reach to Gerridoe's plantation, and was cannonaded by two rebel galleys who retired before any of their bullets reached her; a single shot from the Vigilant quickened their retreat.

The tide and evening being too far spent, and many of the transports having grounded at the distance of five or six miles below Gerridoe's plantation, the descent was indispensibly delayed till next morning. The first division of the troops, consisting of all the light infantry of the army, the New-York volunteers,

and 1st battalion of the 71st, under the command of Lieutenant-colonel Maitland, were landed at break of day on the river dam, in front of Gerridoe's plantation, from whence a narrow causeway of 600 yards in length, with a ditch on each side, led through a rice swamp directly for Gerridoe's house, which stood upon a bluff of 30 feet in height, above the level of the rice swamps.

The light infantry under Captain Cameron, having first reached the shore, were formed and led briskly forward to the Bluff, where a body of 50 rebels were posted; and from whom they received a smart fire of musquetry; but the Highlanders, rushing on with their usual impetuosity, gave them no time to repeat it; they drove them instantly to the woods, and happily secured a landing for the rest of the army, Captain Cameron, a spirited and most valuable officer, with two Highlanders, were killed on this occasion, and five Highlanders wounded.

Upon reconnoitering the environs of Geridoe's plantation, I discovered the rebel army under Major-general Robert Howe, drawn up about half a mile East of the town of Savannah, with several pieces of cannon in their front. The 1st division of troops, together with one company of the 2d battalion of the 71st, the 1st battalion of Delancy's, the Wellworth, and part of the Wiffenbach regiment of Hessians, being landed, I thought it expedient, having the day before me, to go in quest of the enemy, rather than give them an opportunity of retiring unmolested.

A company of the 2d battalion of the 71st, together with the 1st battalion of Delancy's, were accordingly left to cover the landing-place, and the troops marched in the following order for the town of Savannah:

The light infantry, throwing off their packs, formed the advance, the New-York volunteers followed to support

support the light infantry, the 1st battalion of the 71st, with two six pounders, followed the New-York volunteers, and the Wellworth battalion of Hessians, with two three-pounders, followed the 71st, part of Wissenbach battalion of Hessians closed the rear. On the troops having entered the great road leading to the town of Savannah, the division of Wissenbach regiment was posted on the cross roads to secure the rear of the army; a thick impenetrable wooded swamp covered the left of the line of march; and the light infantry, with the flankers of each corps, effectually scoured the cultivated plantations on the right.

The troops reached the open country near Tatnal's plantation before three o'clock in the evening; and halted in the great road about 200 paces short of the gate leading to Governor Wright's plantation, the light infantry excepted, who were ordered to form immediately upon our right of the road, along the rails leading to Governor Wright's plantation.

The enemy were drawn up across the road at the distance of 800 yards from this gateway; one half, consisting of Thompson's and Eugee's regiments of Carolina troops, were formed under Colonel Eugee, with their left oblique to the great road leading to Savannah, their right to a wooded swamp, covered by the houses of Tatnal's plantation, in which they had placed some riflemen; the other half of their regular troops, consisting of part of the 1st, 2d, 3d, and 4th battalions of the Georgia brigade, was formed under Colonel Elbert, with their right to the road, and their left to the rice swamps of Governor Wright's plantation; with the Fort of Savannah Bluff behind their left wing, in the file of second flank; the town of Savannah, round which they had the remains of an old line of intrench-

ment, covered their rear. One piece of cannon was planted on the right of their line, one upon their left, and two pieces occupied the traverse, across the great road, in the center of their line. About 100 paces in front of this traverse, at a critical spot between two swamps, a trench was cut across the road, and about 100 yards in front of this trench, a marshy rivulet run almost parallel the whole extent of their front; the bridge of which was burned down to interrupt the passage, and retard our progress.

I could discover from the movements of the enemy, that they wished and expected an attack upon their left, and I was desirous of cherishing that opinion.

Having accidentally fallen in with a negro, who knew a private path through the wooded swamp, upon the enemy's right, I ordered the 1st battalion of the 71st to form on our right of the road, and move up to the rear of the light infantry, whilst I drew off that corps to the right, as if I meant to extend my front to that quarter, where a happy fall of ground favoured the concealment of this manœuvre, and increased the jealousy of the enemy with regard to their left. Sir James Baird had directions to convey the light infantry, in this hollow ground, quite to the rear, and penetrate the wooded swamp upon our left, with a view to get round by the new barracks into the rear of the enemy's right flank. The New York volunteers, under Col. Tumbull, were ordered to support him.

During the course of this movement our artillery were formed in a field on our left of the road, concealed from the enemy by a swell of ground in front, to which I meant to run them up for action, when the signal was made to engage; and from whence I could either bear advantageously upon the right of the rebel line,

fine, as it was then formed, or cannonade any body of troops in flank which they might detach into the wood to retard the progress of the light infantry.

The regiment of Wellworth was formed upon the left of the artillery, and the enemy continued to amuse themselves with their cannon, without any return upon our part, till it was visible that Sir James Baird and the light infantry had fairly got round upon their rear. On this occasion I commanded the line to move briskly forward. The well-directed artillery of the line, the rapid advance of the 71st regiment, and the forward countenance of the Hessian regiment of Wellworth, instantly dispersed the enemy.

A body of the militia of Georgia posted at the new barracks, with some pieces of cannon, to cover the road from Great Ogeechee, were at this juncture routed, with the loss of their artillery, by the light infantry under Sir James Baird, when the scattered troops of the Carolina and Georgia brigades run across the plain in his front. This officer, with his usual gallantry, dashed the light infantry on their flanks, and terminated the fate of the day with brilliant success.

Thirty-eight officers of different distinctions, and 415 non-commissioned officers and privates, 1 stand of colours, 48 pieces of cannon, 23 mortars, 94 barrels of powder, the fort with all its stores agreeable to the inclosed return, and in short the capital of Georgia, the shipping in the harbour, with a large quantity of provisions, fell into our possession before it was dark, without any other loss on our side than that of Capt. Peter Campbell, a gallant officer of Skinner's light infantry, and two privates, killed; 1 Serjeant and nine privates, wounded; 83 of the enemy were found dead on the common, and 11 wounded. By the accounts

received from their prisoners, 30 lost their lives in the swamp, endeavouring to make their escape.

I have the pleasure to inform your Lordship, that though the rebels retreated through the town of Savannah, and many inhabitants were in the streets, none suffered in the pursuit but such as had arms in their hands, and were in actual resistance.

Every possible care was taken of the houses in the town, and the whole was secured against being set on fire by the enemy, who, as I was informed, had it once in serious contemplation: the rebels had however removed most of their effects out of town; and except what their negroes might have practised during the course of the night, little or no depredation took place, and that even less than had ever happened to a town under circumstances of a similar nature.

Without a single horse to drag our artillery, or waggon to carry forward a sufficient quantity of provisions, your Lordship may well conceive our difficulties in proceeding up the country as soon as could be wished; however, by the indefatigable exertions of Major Fraser, our acting Deputy Quarter-master-general, the zeal and forward dispositions of the whole of the officers of the army for continuing the pursuit, I was not only enabled to march to Cherokee Hill on the evening of the 1st of January, but also to take possession of the town of Ebenezer on the 2d, after securing all the intermediate posts between Savannah and it.

Twenty horses for dragoons, together with several hundred head of cattle, were collected on the march; and on the 3d of January the last scattered remains of General Howe's army retreated across at the Two Sisters.

After establishing post at this ferry, I proceeded with the light infantry and cavalry to Mount Pleasant; and these corps have since been constantly on

on the move, even 50 miles above the town of Savannah, without a single rebel to oppose them.

Many respectable inhabitants joined the army on this occasion, with their rifles and horses, who are formed into a corps of rifle dragoons, for the purpose of patrolling the country between our advanced posts, and for ascertaining the earliest intelligence of the enemy's movements. A body of militia were also formed at Ebenezer, to patrol in the same manner to the right and left of that quarter, by which the country is effectually secured from depredations.

Having cleared this province of the rebel army, except two hundred men left in garrison at Sunbury Fort, a number too insignificant to merit an early attention, and who, from a rapid movement of the British troops along the banks of the Savannah river, must have their communication with South Carolina cut off, and of course fall at discretion, Commodore Parker and I thought this period the best to issue the inclosed proclamation and oath to the inhabitants at large, founded on the instructions I received from his Majesty's Commissioners at New York; and this we did from a persuasion, that it would have the most salutary effects upon the inhabitants, after beating the united force of Carolina and Georgia out of their country.

The immediate consequences justified this persuasion; and I have now the honour to acquaint your Lordship, that the inhabitants from all parts of the province flock with their arms to the standard, and cordially embrace the terms which have been offered.

To establish the public security, and check every attempt to disturb the peace of individuals, I issued another proclamation, setting forth a reward of ten guineas for every committee and assembly man taken within the limits of Georgia; and

two guineas for every lurking villain, who might be sent from Carolina to molest the inhabitant. A late fruitless attempt of a rebel party, sent across the Savannah to plunder the plantations on this side of the water, has inspired our rifle dragoons with double alacrity, and has pointed out the propriety and happy consequences resulting from their being ready to oppose every banditti of this nature.

Capt. Stanhope of the navy, who commanded the flat boats of the fleet, and to whose exertions we are much indebted, went with Lieut. Clarke, and a number of armed boats of the fleet, and boarded an armed brig, two sloops and a schooner, who interrupted the passage to Abercorn, by which means the navigation of the river to that post was happily opened. The Comet galley, and armed sloop Greenwich, are now stationed to cover the mouth of Ebenezer Creek; the two rebel galleys, who were formerly there, have retired to Purisburg.

Having, in the space of ten days, settled the frontiers of Georgia in a state of tranquillity, and having formed such a disposition of the army as, I thought most expedient for shutting up all the avenues leading from South Carolina, I turned my thoughts to Sunbury, and visited the town of Savannah on the 10th instant, where Commodore Parker with Colonel Innis, who was left Commandant of the town of Savannah, had with uncommon abilities, unremitting zeal, and attention, regulated fully to my satisfaction every public transaction in the lower district of that province.

A letter from General Prevost that evening, stopped my intended excursion to Sunbury, by the agreeable intelligence of his arrival from the South, and of his having taken the fort after a short resistance. The particulars of which your Lordship will learn from himself, as I expect him hourly in town, and have detained the packet for that purpose.

ALL

All the rebel cattle, within reach of our posts, have been ordered for slaughter, and to be salted up for the use of the navy and army. We have also given such encouragement to the farmers to bring in their bullocks, hogs, sheep, poultry, &c. as cannot fail of establishing good and reasonable markets at each of our posts.

I am now preparing to march with all the light troops, and a battalion of the 71st, to Augusta, with a view to secure that important post, and give every possible encouragement, protection and aid to his Majesty's loyal subjects in the back countries of both the Carolinas. In the course of a month from the time of my setting out, I hope to have it in my power to give your Lordship some favourable accounts from that quarter.

I have already taken the most essential steps towards rendering that expedition less hazardous than might otherwise appear, from the difficulties of marching through a country so little cultivated, and so thinly inhabited.

If I am fortunate enough to succeed, and that a favourable opening should offer, your Lordship may be persuaded, as it is the supreme object of my wishes, nothing shall be wanting on my part to promote the honour and success of his Majesty's arms.

I cannot close this dispatch to your Lordship, without expressing, with every sentiment of regard, how much I consider myself indebted to the advice and forward aid of Commodore Parker, in every operation where the assistance of the navy was necessary; and I should render the highest injustice to the fleet and army, did I not acquaint your Lordship, how much the King's service has been promoted by the cordial exertions of both. If a jealousy subsisted between them, it was only in the most strenuous efforts to promote the service of their King and country.

To Coloael Innis, Aid de Camp

to Sir Henry Clinton, who will have the honour to deliver the present dispatch to your Lordship, I beg leave to refer you for further particulars regarding the operations of the army under my command. The spirited exertions of this officer has done him peculiar honour; his zeal and merits entitle him to the highest confidence.

I have the honour to be, &c.

ARCH. CAMPBELL, Lt. Col. 71st reg.

*Return of iron and brass ordnance and stores, belonging to the rebels, taken at Savannah, in Georgia, by order of Lieutenant-colonel ARCHIBALD CAMPBELL, commanding a detachment of the royal army, January 8, 1779.*

Corn'd powder. 66 whole barrels in the magazine; 18 ditto, 8 half ditto, 24 ditto, from the country.

Iron ordnance. 2 eighteen pounders, 2 twelve ditto, 2 nine ditto, 4 six ditto, 14 four ditto, 5 three ditto, 4 two ditto, 3 one ditto, 6 mortars, 4 inches 2-5ths, unserviceable (French).

Brass ordnance (French). 6 four pounders, mounted on travelling carriages, 2 ditto unserviceable, 1 three pounder, name not known, 3 mortars, 4 inches 2-5ths.

12 mortars, 4 inches 2-5ths, 2 ditto unserviceable.

7 eighteen pounder handspike common, 2 twelve pounder ladles with staves, 3 wadhooks, 5 four pounder ladles, 7 ditto sponges, 4 ditto wadhooks.

Shot. Round loose: 48 eighteen pounders, 48 twelve pounders, 17 nine pounders, 84 six pounders, 1348 four pounders, 104 case, 78 bag, 32 cartridges flannel filled, for four pounders.

200 shells empty, 4 inches 2-5ths, 10 spare wheels, 1 covered waggon, 4 broken carriages, 4 galloper ditto without wheels, 13 pair cheeks for travelling carriages. 9 tons lead pig, tail. 3 blacksmiths anvils, 2 pair ditto forge bellows.

Muf-

Musquets, 59 with bayonets serviceable, 78 ditto without, 500 repairable and unserviceable.

180 small arms of forts, received from the inhabitants and country people.

Flints, 2 quarter casks musquets, 1 whole barrel ditto, 1 half ditto carbine.

Nails, 12 casks spikes, 8 ditto of forts, half a cask of clores.

ARCH. CAMPBELL, Lieutenant-colonel 71st regiment.

R. WILSON, Lieut. Commanding to the artillery.

*Return of killed, wounded, and missing, of the detachment of his Majesty's forces under the command of Lieutenant-colonel ARCHIBALD CAMPBELL, in the action of the 29th of December, 1778.*

Light infantry, 1st battalion 71st regiment, 1 Captain, 4 rank and file, killed; 1 drummer, 7 rank and file, wounded.

Ditto, 2d ditto, 3 rank and file, wounded.

Ditto, New York Volunteers, 2 rank and file, wounded.

Ditto, 1st and 2d battalion Delancy, 1 subaltern, 1 rank and file, wounded.

Ditto, 3d battalion Skinner's, 1 Captain, 1 rank and file, killed, 2 rank and file, wounded.

Hessian regiment of Welwarth, 2 rank and file, wounded.

Total of the detachment, 2 Captains, 5 rank and file, killed; 1 subaltern, 1 drummer, 17 rank and file, wounded.

*Names and rank of officers killed and wounded.*

Captain Charles Cameron, 1st battalion, 71st regiment, and Captain Campbell, 3d battalion Skinner's, killed.

Lieutenant French, Delancy's, wounded.

ARCH. CAMPBELL,

Lt. Col. 71st reg.

VOL. VII.

*Return of prisoners of war taken in action, the 29th of December, 1778, by his Majesty's forces, under the command of Lieutenant-colonel ARCHIBALD CAMPBELL, of the 71st regiment.*

First battalion Georgia, 1 Major, 3 Captains, 1 Lieutenant, 3 Serjeants, 1 drummer, 10 rank and file.

Second battalion ditto, 1 Major, 3 Captains, 4 Lieutenants, 1 Surgeon, 1 Mate, 12 Serjeants, 5 drummers, 5 fives, 105 rank and file.

Third battalion ditto, 2 Lieutenants, 1 Chaplain, 1 Surgeon, 3 Serjeants, 37 rank and file.

Fourth battalion ditto, 1 major, 3 Captains, 1 Lieutenant, 7 Serjeants, 32 rank and file.

Artillery ditto, 1 Captain, 2 Lieutenants, 1 Serjeant, 13 rank and file.

Light dragoons ditto, 1 Quarter-master, 1 Serjeant, 4 rank and file.

Militia ditto, 1 Colonel, 2 Commissaries, 1 Muster-master, 50 rank and file.

Third battalion South Carolina, 4 Lieutenants, 4 Serjeants, 59 rank and file.

Fifth battalion ditto, 1 Captain, 1 Lieutenant, 1 Serjeant, 51 rank and file.

Artillery ditto, 1 Serjeant, 1 drummer, 9 rank and file.

Total, 1 Colonel, 3 Majors, 11 Captains, 15 Lieutenants, 1 Chaplain, 1 Quarter-master, 2 Surgeons, 1 Mate, 2 Commissaries, 1 Muster-master, 33 Serjeants, 7 drummers, 5 fives, 370 rank and file.

ARCH. CAMPBELL, Lt. Col. 71st reg. By HYDE PARKER, jun. Esq. Commodore of a Squadron of his Majesty's ships of war, and Lieutenant-colonel ARCHIBALD CAMPBELL, commanding a detachment of the royal army, sent for the relief of his Majesty's faithful subjects in North and South Carolina and Georgia.

A P R O C L A M A T I O N.

Whereas the blessings of peace, freedom, and protection, most graciously



ously tendered by his Majesty to his deluded subjects of America, have been treated by Congress with repeated marks of studied disrespect; and to the disgrace of human nature have had no effect in reclaiming them from the bloody persecutions of their fellow citizens: Be it therefore known to all his Majesty's faithful subjects of the southern provinces, that a fleet and army, under our orders, are actually arrived in Georgia for their protection, to which they are desired to repair without loss of time, and by uniting their force under the royal standard, rescue their friends from oppression, themselves from slavery, and obtain for both the most ample satisfaction for the manifold injuries sustained.

To all other well disposed inhabitants, who, from a just regard to the blessings of peace, reprobate the idea of supporting a French league, insidiously framed to prolong the calamities of war, and who, with his Majesty's faithful subjects, wish to embrace the happy occasion of cementing a firm and perpetual coalition with the Parent State, free from the imposition of tax by the Parliament of Great Britain, and secured in the irrevocable enjoyment of every privilege consistent with that union of interests and force, on which their mutual advantage, religion and liberties depend; we offer the most ample protection in their persons, families and effects, on condition they shall immediately return to the class of peaceful citizens, acknowledge their just allegiance to the Crown; and with their arms support it.

To those who shall attempt to oppose the re-establishment of legal government, or who shall presume to injure such whom the dictates of reason, honour, and conscience prompt to embrace it, we lament the necessity of exhibiting the rigours of war, and call God and the world to witnesses, that they only shall be answer-

able for all the miseries which may ensue.

Deserters of every description, who, from a due sense of their error, wish to return to their colours, have also our pardon, provided they return within the space of three months from the date of this proclamation.

Given at head quarters at Savannah, this 4th day of January, 1779, and in the nineteenth year of his Majesty's reign.

(Signed) HYDE PARKER,  
ARCHIBALD CAMPBELL.  
God save the King.

I do solemnly swear, That I will bear true and faithful allegiance to his Majesty King George the Third, my lawful Sovereign; and that I will, at all risks, stand forth in support of his person and government: and I do solemnly disclaim and renounce that unlawful and iniquitous confederacy called the General Continental Congress; also the claim set up by them to Independence, and all obedience to them; and all subordinate jurisdictions assumed by or under their authority.— All this I do sincerely promise, without equivocation or mental reservation whatever. So help me God.

The bearer, having complied with the terms of the Proclamation issued by the commanders of his Majesty's sea and land forces in this province, dated 4th of January, 1779, has permission to remain on plantation, and enjoy his Majesty's protection for family and effects of every kind; has also permission to pass and repass to and from Savannah, with provisions and all other necessaries for the use of the town and garrison, unmolested; and the guards at the out-posts are hereby required and directed to give every assistance that may be necessary.

Given at Savannah this day of one thousand seven hundred and seventy-nine.

To all officers, civil and military.  
By

By ARCHIBALD CAMPBELL, Esq.  
commanding his Majesty's forces  
in Georgia,

**A PROCLAMATION.**

Whereas information has been received, that many ringleaders of sedition, and some skulking parties from the rebels of Carolina, do still continue to infest this country, and under colour of the night, have the audacity to rob and otherwise ill-treat those true and faithful subjects of his Majesty, whom they have not been able to seduce from their allegiance. And whereas the aiding or concealing any person or persons acting in injudicial or illegal capacities, or who may yet hold out in arms against the authority of the King, must be highly prejudicial to the tranquility and interests of the loyal inhabitants of Georgia;

The Commandant of the troops hereby directs, that all his Majesty's faithful subjects shall guard themselves against the dangers of such secret, wicked and destructive enemies; and he doth hereby command them, in his Majesty's name to make diligent search and enquiry after all such notorious offenders, that their lurking places, as well as those of their wicked confederates, may be instantly made known.

Any person or persons knowing or suspecting the concealment of such public offenders are strictly commanded, on pain of the severest punishment and confiscation, to repair immediately to head quarters, or to the next military post, and make the same known to the commanding officer of his Majesty's troops, for the time being. For each rebel committee or assembly man, brought into any of the military posts, a reward of ten guineas will be paid to the person or persons who bring him; and for every rebel who is found lurking about the country a like reward of two guineas will be paid upon his being delivered over to any of his Majesty's officers.

Given at Head Quarters at Savannah, this eleventh day of January, 1779, and in the nineteenth year of his Majesty's reign.

ARCH CAMPBELL:

God save the King.

*Extract of a letter from Major-general PREVOST to Lord GEORGE GERMAIN, dated Savannah, Jan. 18, 1779.*

I think it my duty to acquaint your Lordship, that pursuant to General Sir Henry Clinton's orders of 20th October, received November 27th following, I collected all the troops of every kind, which could possibly be spared from the necessary number for the defence of the fort and garrison of St. Augustine.

Permit me, my Lord, to mention to the praise of the troops now with me, the unexampled distress under which they have laboured for a number of weeks for want of provisions, their spirited excursions, at a very great distance, in a country extremely difficult of access, and the cheerfulness with which, for days together, under the most severe fatigues, they lived only on oysters; all resources of every kind being exhausted, notwithstanding all the industry and activity of Lieutenant-colonel Prevost, who exerted every sinew to relieve our wants, not a word of complaint was heard; the anxiety to share the toils of reducing Georgia, and to promote the King's service, made every thing easy, and was patiently born by the men, who saw that their officers had no better fare than themselves; at last, when the joyful news came, that the troops from the northward were arrived off the coast, those with me were soon ready to co-operate with them. Our artillery and ammunition coming by water in open boats, the only possible conveyance, as we are unassisted by any kind of naval force, retarded us some time, as we were obliged to take a long circuit to avoid the enemies galleys; however, the activity

of Lieutenant-colonel Prevost, who had made a forced march in the night, and surrounded the town of Sunbury, to prevent the enemy from escaping, in case they designed to abandon the fort, afforded us some means of bringing a howitzer and some royals, with which we soon obliged them to surrender the garrison and fort at discretion. The prisoners, including the officers, amounted to two hundred and twelve; they had a Captain and two men killed, and six wounded. On the side of his Majesty's troops only one private man was killed, and three wounded, notwithstanding they had two galleys and an armed vessel firing at our trenches for three days, besides 21 pieces of cannon mounted in the fort. After settling a garrison in it, and ordering the necessary repairs, I proceeded to Savannah to take the command of the army come from the northward, hitherto commanded by Lieutenant-colonel Campbell, to whom I beg leave to refer your Lordship for the particulars of his success against the enemy, and the steps he has since taken to secure the country along Savannah river.

I have only inclosed to your Lordship the return of the troops I brought with me from Florida, with the return of the garrison of Fort Morris, now Fort George, and the state of the ordnance and stores taken there.

I have the honour to be, &c.

A. PREVOST.

*Return of the garrison in Fort Morris, commanded by Major LANE, the 9th of January, 1779.*

Continental troops, 1 Major, 3 Captains, 7 Lieutenants, 1 Adjutant, 1 Mate, 12 Serjeants, 1 drummer, 129 rank and file.

Sunbury militia, 1 Captain, 2 Lieutenants, 2 Serjeants, 43 rank and file.

Total, 1 Major, 4 Captains, 9 Lieutenants, 1 Adjutant, 1 Mate,

14 Serjeants, 1 drummer, 172 rank and file,

*Return of brass and iron ordnance stores in Fort Morris, (now Fort George) at Sunbury, in Georgia, the 13th of January, 1779.*

Brass. 1 seven inch mortar, 2 eighteen pounders, 6 twelve ditto, 1 nine ditto, 7 four ditto, 8 three ditto.

Iron guns on garrison carriages. 2 eighteen pounders, 6 twelve ditto, 1 nine ditto, 4 four ditto, 7 three ditto,

Round shot. 227 eighteen pounders, 204 twelve ditto, 29 nine ditto, 220 four ditto, 144 three ditto.

Cafe and grape shot. 4 eighteen pounders, 8 twelve ditto, 3 nine ditto, 45 four ditto, 40 three ditto.

Ladles, wad-hooks and sponges. 2 eighteen pounders, 7 twelve ditto, 1 nine ditto, 3 four ditto, 5 three ditto.

Small arms. 180 musquets with bayonets, 12 rifles, 40 fuzees and carbines, 4 wall pieces.

30 shells empty; 4 inches 2-5ths, 50 hand grenades fixed.

Ball cartridges, 3000 musquets, 500 carbine.

28 powder barrels.

150 lb. musquet ball, 1800 lb. pigs.

400 musquet flints, 80 carbine ditto.

150 cartridge boxes, 72 pouches with powder horns, 30 claw hand-spikes.

J. FAIRLAMB, Captain-lieutenant to the royal artillery.

*Amnality-Office, Feb. 23, 1779.*

Captain Stanhope of his Majesty's navy, arrived at this office early this morning, with a letter from Captain Hyde Parker, of his Majesty's ship Phoenix, to Mr. Stephens, dated in Savannah River, the 14th and 15th of January, 1779, of which, and of two lists that accompanied it, the following are copies:

Sir,

I am to request you will be pleased

to acquaint their Lordships, that, pursuant to orders from Rear Admiral Gambier, Commander in Chief in North America, I sailed from New-York the 27th of November, with the transports under convoy, and, after a series of bad weather, arrived off of Tybee the 23d of December; a strong southerly current having set the fleet to the southward, prevented my getting in until the 24th. The Vigilant and some transports not being able to get into the river before the 27th, prevented any operations from going on, excepting a company of light infantry, under the command of Sir James Baird, and conducted by Lieutenant Clarke of the Phoenix, sent to Wilmington Island, in order to secure some of the inhabitants, to gain intelligence of the state of the enemy; in this they succeeded by bringing off two men, who informed us, that the rebels had two row galleys in the mouth of Augustine Creek; that the batteries which had been erected for the defence of the river, were much out of repair, and very few troops in the town, but that a number was expected to arrive every day. In consequence of this information it was determined by Colonel Campbell and myself, that no time was to be lost; therefore the moment the Vigilant was ready, which was the 28th, she was ordered to proceed up the river, with the Greenwich armed sloop and Keppel armed brig, the transports following in the rear, the Comet galley at the same time went up the South Channel. This disposition had the desired effect, by cutting off the enemy's row galleys from getting back into the inland navigation leading to Sunbury, and obliged them to retreat up the Savannah river, which they did, after firing some ill-directed shot at the armed vessels as they advanced. Finding the battery upon Salter's Island, totally deserted, the Vigilant and

armed vessels were ordered to proceed to Bruton's plantation, the place determined upon to make the landing; but the shallowness of the river did not admit of the Vigilant nearer than a random shot; the other vessels were arranged along the banks of the river, opposite to the landing, just at dark. The water having ebbed considerably, many of the transports grounded upon the flats, about four or five miles below the armed vessels, and the others were obliged to anchor from the night coming on. This difficulty was, in a great measure, obviated by the alertness and activity of Capt. Stanhope, charged with the command of the flat boats, &c. The first division of troops were embarked in the boats, and rendezvoused at the Vigilant; but, from the enemy's fires, they appeared to have taken post; it was therefore determined to defer the landing until day-light, which was effected at the break of day, with the loss of one Captain and three or four privates of the 71st killed, and eight or ten wounded.

As soon as the remainder of the army and artillery could be landed, which was completed by two o'clock in the afternoon, Colonel Campbell began to move towards the town of Savannah. The enemy appeared in force, but, by a judicious movement of the light infantry, every obstacle was removed, and in a great measure the retreat of the enemy cut off: a number were killed, and about 400 made prisoners, with the most of their artillery. As soon as I could discover the troops had made an impression, I moved up with the small armed vessels to the town, and advanced the Comet galley above the town; but night and the ebb of tide coming on, prevented her from proceeding high enough to oblige the rebels to desist from setting fire to the Hinchinbrook brig, which they had attempted to get up the river, but  
run

run a-ground about three miles above the town, as also a sloop, which was taken next morning.

On the 30th of December, having received intelligence that the two rebel row galleys were about five miles above the town, with some other armed vessels, it was determined to endeavour to surprize them by the troops on the banks of the river, and the boats, supported by the armed vessels upon the river, but, either from the intelligence being false, or that the enemy had moved during the night, we found, by information of the negroes, that they were five miles farther up; however the boats took possession of a Spanish ship of sixteen guns, that was a-ground and deserted.

On the 1st of January, Lieutenant Clarke of the Phoenix was detached, with row boats, about 17 miles up the river above Savannah, upon information that the late rebel Governor of Georgia was at a plantation on the South-Carolina shore; unfortunately he did not get the Governor, but returned with one Bryan, a notorious ringleader in rebellion, 1 Captain-lieutenant, and about 12 or 14 prisoners of other denomination, and a gun-boat which the rebels had fitted for the defence of the river. From this period the galley and Greenwich sloop, with a number of boats under the command of Captain Stanhope, were kept advancing up the river, in hopes of being able to come up with the rebel galleys and other armed vessels, but such was the diligence of the rebels, and the difficulties attending our armed vessels drawing more water than those of the enemy, in a very intricate navigation, notwithstanding the greatest exertions made on the part of the officers employed upon that service, the rebels have been able to secure their galleys under the town of Purisburgh; as also two sloops; one loaded with gunpowder,

the other with stores: four others were taken, viz. a sloop of 10 guns and another of 4 burnt; a brig and schooner brought off. By the station the King's armed vessels now occupy, we are enabled to transport provisions and stores for the army to Abercorn, within ten miles of Ebenezer, the most considerable post of the army. Above the advanced armed vessels the river is no longer navigable for any thing but flats, and for them only by means of ropes being made fast to trees upon the shore, as there is constantly a stream runs down so strong as to make it impracticable for a boat to row against it, and the river so full of logs of wood as to render it impossible for vessels to anchor.

After the scattered remains of the rebel army had been forced to cross the Savannah River into South Carolina, it was judged, by Colonel Campbell and myself, the proper moment of holding out protection to such of the inhabitants of Georgia as retained allegiance to his Majesty's person and government, by the proclamation and oath (copies of which are inclosed) and I have great satisfaction in acquainting their Lordships, the effects have perfectly justified our most sanguine wishes, by a very large majority of the inhabitants of the province of Georgia having already subscribed to the oath.

Herewith I have the honour to transmit, for their Lordships information, a sketch of the river Savannah, which, although not perfectly correct, will enable their Lordships to form a judgment of the intricacy of the navigation up to the town. The entrance, as far up as Cockspur Island, is a fine harbour for ships, not drawing more than 17 feet draught of water; and I think a fit port for the cruising frigates from 32 guns downwards. Nine miles above Cockspur the water of the river is perfectly fresh, and the country abounds with great quantities of cattle.

The

The defence of this province must greatly depend on the naval force upon the different inland creeks; I am, therefore, forming some galleys covered from musquetry, which I have great reason to believe will have a very good effect.

The shattered situation of the ships under my command, and absolute necessity of fitting out galleys and small vessels for the defence of the province, induced me to appoint a Master Attendant and Master Builder, for the carrying on, in a uniform manner, those necessary services; and I doubt not but their Lordships will perceive the propriety of the measure.

I should do great injustice to Captain Stanhope, was I to close this letter without desiring you, Sir, to acquaint their Lordships, that Captain Stanhope, although his sloop was out of commission, made a voluntary offer of his services upon this expedition, and I with pleasure acknowledge, that my success, in the naval department, has been greatly owing to his abilities and knowledge of the harbour and river: and it is, Sir, with the greatest pleasure that I assure you, that a most perfect harmony has subsisted between the navy and army, and that the officers and men have vied with each other for the good of his Majesty's service.

Enclosed I transmit the state and condition of the squadron under my command; and, as soon as the state of the province will admit of my withdrawing the Phoenix, I shall proceed to put into execution the remainder of my instructions from Rear-admiral Gambier. Captain Stanhope is charged with these dispatches, to whom I beg leave to refer their Lordships for particulars.

I have the honour to be, Sir,

Your most obedient and  
most humble servant,

Phoenix, Savannah River, Jan. 14,

1779.

H. PARKER.

To PHILIP STEPHENS, Esq.

N. B. Since writing this letter. I am informed, that General Prevost, with the King's troops from St. Augustine, after a very slight resistance, obliged the rebel fort at Sunbury to surrender at discretion. Two rebel galleys that were there retreated down the river; but, from the disposition of the King's ships and vessels, they despaired of getting them off, which induced the enemy to set fire to them, and attempt to escape with their crews in a sloop, which was brought in here yesterday by the Vigilant's tender, their numbers amounting to about 70, including officers.

Jan. 15, 1779. H. PARKER.

*A return of the killed and wounded on board his Majesty's ships and vessels under my command, in the Savannah River, between the 29th of December 1778, and the 14th of January 1779, viz.*

Greenwich sloop, 1 seaman, killed; 3 seamen, wounded.

Comet galley, 2 seamen, wounded.

Total, 1 seaman, killed, 5 seamen, wounded.

H. PARKER.

*A return of prisoners taken by the Squadron in the above-mentioned time.*

Taken by the boats up the river 23

Taken by the Phoenix — 11

Taken by the Vigilant's tender 72

Total 106

H. PARKER.

*A list of ships and vessels, seized as prizes by his Majesty's ships and vessels under my command, between the 27th of November, 1778, and 14th of January, 1779, viz.*

Dec 25, 1778. By the Greenwich brig, master and crew deserted her, 100 tons, seized off Tybee, in ballast.

Dec. 30. By the Phoenix's boats. Schooner Nancy, Robert Farquhar, of Jamaica, master and owner, 20 tons, 8 men, from Dominica to Georgia, with sugar and coffee.

By

By small armed vessels and boats between the 1st and 6th of January, 1779, alongside the wharfs, Savannah-Town.

Ship Franklin, master and crew deserted her, 300 tons, in ballast.

Ship, master and crew deserted her, 300 tons, 20 guns (French) in ballast.

Brig, master and crew deserted her, 180 tons, in ballast.

A polacre, master and crew deserted her, 80 tons, in ballast.

In the Savannah river above the town.

A ship, 300 tons, 16 guns (Spanish) with some deer skins.

A brig, 140 tons, with lumber.

A sloop, 70 tons, 100 negroes, with flour and some indigo.

A sloop, 40 tons, with furniture.

A schooner, 60 tons, with some indigo and tobacco.

All the above were delivered into the care of Mr. M'Culloch, Agent for the navy at Savannah.

A sloop, 90 tons, 15 men, 10 guns, burnt.

A sloop, 90 tons, 8 men, 4 guns, burnt.

Jan. 13, 1779, by the Vigilant's tender, sloop Sarah; seized at sea, Francis Salter, master, 60 tons, 72 men, the crews of two rebel galleys, burnt by the rebels, from Sunbury to Charles-town, with salt.

H. PARKER.

LIST of the ARMY and NAVY at St. LUCIE, brought by the last dispatches.

ARMY at St. LUCIE.

Major-general Grant commanding.

Second in Command, Brigadier-general Prescott.

Regiments.

- 4th Lieutenant-colonel Ogilvie, }  
Brigadier-general.
- 5th Meadows, ditto
- 15th Stopford
- 27th Mitchel
- 28th Prescott
- 35th
- 40th Musgrave
- 46th Maicham
- 49th Sir H. Calder, Brigadier-  
general,
- 25th Cuyler

Adjutant-general Major Brown,  
Quarter-master-general Musgrave,  
Principal, Doctor Bruce,  
Aid-de-Camp to the Commander in  
Chief, Hamerston.

One troop dismounted dragoons.

- 1st Brigade, Prescott. } 2d Brigade, Lieut. Col. }  
15th Sir H. Calder. }  
18th } 27th }  
46th } 35th }  
55th } 40th }  
} 49th }

3d Brigade, Meadows,  
light infantry and  
grenadiers of the  
whole 5th regiment.

Ordnance, two companies of artillery, Captains Williams and Standish. Each brigade has a light field piece (3 pounders) besides a large train of artillery.

- Engineers,
- Lieutenant Pitt 1
- Skinner 2
- Forth 3 Irish corps
- Weldal

French army is supposed from 5 to 7000 men.

NAVY

A LIST of the SHIPS of WAR in the  
*West-Indies.*

Guns.	Ships.		Guns.	Ships.	
80	* Princess Royal,	{ Admiral Byron.	20	Hound,	
74	* Royal Oak,		16	Shark,	
74	* Conqueror,	{	16	Sylph,	
74	* Sultan,		16	Ariadne,	
74	* Grafton,		16	Cygnets,	
74	* Fame,		16	Hornet,	
74	* Cornwall,		10	Lynx,	
74	* Albion,				
74	Prince of Wales,		{ Admiral Barrington.		
74	† Suffolk,		{ Commodore Rowley.		
74	† Magnificent,				
74	† Elizabeth,				
74	† Shrewsbury,				
70	Boyne,				
64	† Vigilant,				
64	* Trident,				
64	* Raifonable,				
64	Ruby,				
64	Yarmouth,				
64	St. Alban's,				
64	Monmouth,				
50	Bristol,	{ Admiral Parker.			
50	Preston,	{ Commodore Hotham.			
50	Isis,				
50	Centurion,				
50	† Warwick,				
50	Renown,				
44	Romulus,				
44	† Janus,				
32	* Dromedary,				
32	* Diamond,				
32	Niger,				
32	Winchelsea,				
32	Active,				
32	* Pearl,				
28	Boreas,				
28	Surprize,				
20	Seaford,				
20	Beaver,				
20	Ceres,				
20	Druid,				
20	Favourite,				

*Charles-Town, South-Carolina,*  
Nov. 25.

A body of armed men, supposed to be about 500, chiefly on horseback, with four pieces of artillery, from St. Augustine, have made a very sudden and rapid incursion over land, by way of the Alatamaha, into the neighbouring state of Georgia; burning all the houses and destroying every thing in their way. It does not appear that they were discovered before last Friday, yet by Sunday they had advanced to within four miles of Sunbury, and burnt every house on the other side of Newport ferry, but not without receiving some check from a militia, collected under Colonel Screven, together with the Continentals of the third and fourth battalions, who had retreated, in order to receive re-inforcements, to Medway meeting-house, where they were intrenching to make a stand, but having disputed every inch of ground against a superior enemy, they lost a few men, and had some of their most valuable officers wounded. We since learn, that the militia had every where turned out with the greatest alacrity, and that such vigorous measures are pursuing, as, with the co-operation of this state, will probably not only disappoint the designs of the enemy, but also cut off their retreat.—The opinion of some is, that this expedition has been contrived by Governor Tonym, on purpose to pacify or get rid of the clamorous Tories and horse thieves, which he has, by intimi-

Those marked thus (\*) are with Admiral Byron. Those marked thus (†) under Commodore Rowley.



dating suggestions and lavish promises, for years past, drawn from this and other states, as well to strengthen the province under his government, as to succeed the views of General Grant and Co. upon this state, which have probably been disappointed by the late sudden and successful attack of the Marquis de Bouillé upon the island of Dominica.

*Dec. 1.* Since our last, we have not received any authentic accounts of the progress of the enemy's army in Georgia, excepting that they are in possession of Sunbury. Divers reports from that state are at present circulated; some, that the enemy are at Savannah; however, the most certain that we can deliver as such is, that our army is entrenched on the North side of Ogechie, determined there to make a stand; and that General Prevost occupies the heights where Governor Wright's settlements are made, distant about one mile and an half from Ogechie ferry. Proprietors of vessels at Sunbury, rather than let them fall into the enemy's hands, set fire to them and were burnt; and it is said that Captain Thomas Savage has done the same by his plantation, as he could not otherwise hinder it from falling a prey to the Floridian mauroders. We hardly dare mention the savage and barbarous treatment of Brigadier-general Screven, was it not of a piece with British cruelty already practised: Brigadier Screven, having received a wound while on horseback, fell; immediately several of the enemy came up to him, and either knowing of him, or seeing by his dress he was an officer of distinction, upbraided him with the manner in which one Moore, a Captain in Brown's rangers, was killed last summer, and then barbarously discharged their pieces at him. Thus fell this gallant General, who has been upon all occasions foremost in the service of his country, and has

both in private and public character justly merited the love and esteem of all who knew him.

*Boston, October 26.* Monday last a large company of gentlemen and ladies dined on board the Languedoc, at the invitation of the Count D'Estaing. The entertainment was highly elegant. A picture of General Washington at full length, lately presented to the Count by General Hancock, was placed in the center of the upper side of the room, the frame of which was covered with laurels.

The Squadron of the Count D'Estaing is compleatly refitted, and makes a fine appearance at Nantasket; the ships are in readiness to put to sea at the shortest warning.

The alliance with France was a decisive stroke in favour of America; it in part awakened Britain from her trance, and brought her to think of a peace with us. The apprehension of the Count D'Estaing's fleet coming on these coasts, occasioned the calling in of Lord Howe's cruisers, and opened the way for the arrival of our trade and prizes; it obliged Clinton to evacuate Philadelphia, at least much earlier than he would otherwise have probably done; it necessitated the British Court to send Byron's fleet to America, which gave France a superiority in the channel. The presence of the Count D'Estaing in these seas, has prevented a timely detachment from the British fleet here for the defence of their West-India Islands; and may oblige their troops to evacuate the United States sooner and more compleatly than perhaps they intended, had America been destitute of such a friendly naval force. Must we not then seem an unwise people indeed, should we in compliance with the silly suggestion of the British Commissioners, act a perfidious part towards such an ally, and leaving ourselves without a friend in the world, bring France, in conjunction with Britain, upon our backs? The former is our ally, not our master; and

and is bound by interest, which never lies to support our Independence. And how can either our civil or religious liberty be in danger, while we retain our own sovereignty? Has not Britain always had allies of a different religion and form of Government from her own? And was not America, while part of her dominion, included in these alliances? And did not both of us consider ourselves as the safer for such connections? In short, it is an insult upon common-sense to suppose the arguments of the Manifesto require a serious refutation.

The British Court, it is said, was balancing a long time upon the sailing of Admiral Byron for America. On the one hand, they were afraid of losing the command of the channel; on the other, they did not dare to leave their army in America, without a superior naval force to protect them. The last consideration prevailed, and Byron had positive orders to sail for this coast.

We are told, there has lately been a review of some of the French troops at Nantasket, at which, by the invitation of the Count D'Estaing, General Heath was present. Every spectator was highly pleased with the fine appearance of the men, and the manner in which they performed the manœuvres.

Since our last arrived here the Continental frigates the Boston, Providence, and Ranger, from France: in the Providence came passenger Captain Hinman, late Commander of the Alfred, and a number of other gentlemen.

#### A DECLARATION.

*Addressed in the name of the King of France to all the antient French in Canada, and every other part of North-America. (Translated from the French.)*

The undersigned, authorized by his Majesty, and thence clothed with the noblest titles, with that which es-

faces all others, charged in the name of the father of his country, and the beneficent protector of his subjects, to offer a support to those who were born to enjoy the blessings of his Government—

*To all his countrymen in North America.*

You were born French; you never could cease to be French. The late war, which was not declared but by the captivity of nearly all our seamen, and the principal advantages of which our common enemies entirely owed to the courage, the talents, and the numbers of the brave Americans, who are now fighting against them, has wrested from you that which is most dear to all men, even the name of your country. To compel you to bear the arms of parricides against it, must be the completion of misfortunes: with this you are now threatened: a new war may justly make you dread being obliged to submit to this most intolerable law of slavery. It has commenced like the last, by depredations upon the most valuable part of our trade. Too long already have a great number of unfortunate Frenchmen been confined in American prisons. You hear their groans. The present war was declared by a message in March last, from the King of Great Britain to both Houses of Parliament; a most authentic act of the British sovereignty, announcing to all orders of the State, that to trade, (with America) though without excluding others from the same right, was to offend; that frankly to avow such intention, was to defy this sovereignty; that she should revenge it, and deferred this only to a more advantageous opportunity, when she might do it with more appearance of legality than in the last war; for she declared that she had the right, the will, and the ability to revenge and accordingly she demanded of Parliament the supplies.

The calamities of a war thus proclaimed, have been restrained and retarded

retarded as much as was possible, by a monarch whose pacific and disinterested views now reclaim the marks of your former attachment, only for your own happiness. Constrained to repel force by force, and multiplied hostilities by reprisals which he has at last authorised, if necessity should carry his arms, or those of his allies, into a country always dear to him, you have not to fear either burnings or devastations: and if gratitude, if the view of a flag always revered by those who have followed it, should recall to the banners of France, or of the United States, the Indians who loved us, and have been loaded with presents by him, whom they also call their father; never, no never shall they employ against you their too cruel methods of war. Those they must renounce, or they will cease to be our friends.

It is not by menaces that we shall endeavour to avoid combating with our countrymen; nor shall we weaken this declaration by invectives against a great and brave nation, which we know how to respect, and hope to vanquish.

As a French gentleman, I need not mention to those among you who were born such as well as myself, that there is but one august House in the universe, under which the French can be happy, and serve with pleasure; since its head, and those who are nearly allied to him by blood, have been at all times, through a long line of monarchs, and are at this day more than ever delighted with bearing that very title which Henry IV. regarded as the first of his own. I shall not excite your regrets for those qualifications, those marks of distinction, those decorations, which, in our manner of thinking, are precious treasures, but from which, by our common misfortunes, the American French, who have known so well how to deserve them, are now precluded. These, I am bold to hope, and to promise, their zeal will very

soon procure to be diffused among them. They will merit them, when they *dare to become the friends of our allies.*

I shall not ask the military companions of the Marquis of Levi, those who shared his glory, who admired his talents and genius for war, who loved his cordiality and frankness, the principal characteristics of our nobility, whether there be other names in other nations, among which they would be better pleased to place their own,

Can the Canadians, who saw, the brave Montcalm fall in their defence, can they become the enemies of his nephews? Can they fight against their former leaders, and arm themselves against their kinsmen? At the bare mention of their names, the weapons would fall out of their hands

I shall not observe to the Ministers of the altars, that their evangetic efforts will require the special protection of Providence, to prevent faith being diminished by example, by worldly interest, and by Sovereigns whom force has imposed upon them, and whose political indulgence will be lessened proportionably as those Sovereigns shall have less to fear. I shall not observe, that it is necessary for religion, that those who preach it should form a body in the State; and that in Canada no other body would be more considered, or have more power to do good than that of the priests, taking a part to the Government, since their respectable conduct has merited the confidence of the people.

I shall not represent to that people, nor to all my countrymen in general, that a vast monarchy, having the same religion, the same manners, the same language, where they find kinsmen, old friends and brethren, must be an inexhaustible source of commerce and wealth, more easily acquired and better secured, by their union with powerful neighbours, than with strangers of another hemisphere,  
among

among whom every thing is different, and who, jealous and despotic Governments, would sooner or later treat them as a conquered people, and doubtless much worse than their late countrymen the Americans, who made them victorious. I shall not urge to a whole people, that to *join* with the United States, is to secure their own happiness; since a whole people, when they acquire the right of thinking and acting for themselves, must know their own interest; but I will declare, and I now formally declare in the name of his Majesty, who has authorised and commanded me to do it, that all his former subjects in North America, who shall no more acknowledge the supremacy of Great Britain, may depend upon his protection and support

Done on board his Majesty's ship the Languedoc, in the harbour of Boston, the 28th day of October, in the year 1778.

ESTAING.

BIGREL DE GRANDCLOS,  
Secretary, appointed by the King,  
to the Squadron commanded by  
the Count D'Estaing.

*Philadelphia, Oct. 31.*

*A letter from Colonel BUTLER to General STARK.*

Dear General,

Last evening, greatly fatigued, I returned from our Indian expedition, and embrace this early opportunity to give you a sketch of it, extracted from my journal.

Oct. 1. As I intended marching the next day, I detached Lieutenant Stevens with twelve men, a subaltern, ten privates of the militia, to the frontiers of the settlement, to guard the roads and passages leading to the enemy, to prevent any intelligence being carried.

2d. P. M. I marched the troops, consisting of the rifle corps, 4th Pennsylvania regiment, and 20 rangers, with six days provision on their backs,

and five on the pack horses. We moved this day twelve miles, to one Matthias, without any thing material happening.

3d. Marched early this morning, arrived at Mr. Sawyer's, on the head of the Delaware, being 15 miles; rainy disagreeable weather, and very bad roads.

4th. The weather being clear, about ten o'clock, P. M. proceeded to Cowley's, down the Delaware ten miles.

5th. Continued down the course of the Delaware fifteen miles farther; when we left it, and struck across the mountains for the Susquehanna. This day we marched 18 miles.

6th. Began our march early this morning, and at dusk arrived within eight miles of the Unadilla settlement. I here detached Lieutenants Stevens and Long, with small parties, to make prisoners of some inhabitants, who lived within four miles of the Unadilla. I then continued my route in the night, in order to be better concealed, and within a smaller distance from the settlement, from whence I might make the attack early in the morning. But after having marched about seven miles, I met the parties who were detached with one prisoner; he told me, that the enemy had left the place some days before, and were gone for Anaquago. This day marched 24 miles.

7th. Early this morning detached Lieutenant Stevens with a few men to Unadilla, to make a prisoner of one Glagford, who I intended should guide me to Anaquago: this he effected, and after the troops had cooked their provisions, and rested themselves a little, we marched within five miles beyond the Unadilla. At the third place of crossing the Susquehanna, my guard discovered the fresh track of a man, who, I imagined had been left by the enemy to give the earliest intelligence of our movements. I immediately sent three runners,

runners, who followed the track eight miles, when night came on, they were obliged to return. I then ordered off Lieutenant Stevens about ten o'clock at night, to advance and reconnoitre the country about Anaquago, and meet me the next day with his report.

8th. About two o'clock this morning came on a very heavy rain, which put me in a distressing situation, being in the woods, without any means for keeping our arms dry, in great danger of the rivers rising so as to prevent my advancing, besides the difficulty in returning. About eight o'clock, A. M. the weather cleared up. After cleaning the arms, we continued the march. About three miles from Anaquago, I met Mr. Stevens, who gave me as good a description of the settlement as he was able to discover from the adjacent mountains. The Susquehanna being between me and Anaquago, I thought it best to cross in the night, and attack the town. To prevent their ambuscading me in crossing the river (which at this place is 250 yards wide, and took the men to their middle in wading it) I ordered the two companies of riflemen to march in front, and, on the discovery of an enemy, to file off to the right and left, and attack the flanks, while the musquetry with fixed bayonets charged the center. In this order I crossed the river, and took possession of the town without interruption, the enemy having that day left it in the greatest confusion; leaving behind a large quantity of corn, their dogs, some cattle, and great part of their household furniture. I ordered a number of fires to be built, to make my little party appear as formidable as possible. We here fared sumptuously, having poultry and vegetables in great plenty.

9th. By day-light Major Church with a party crossed over the river (their settlements are on both sides)

and burned that part of the settlement, consisting of ten good farm-houses, with a quantity of corn, and brought off some cattle. Some of the pack-horses having strayed a distance from the town, their keepers went in quest of them, and without their arms, though contrary to frequent orders. About half a mile from the party they were fired at by an Indian, who lay concealed within twenty yards of them; he missed them, but immediately loading he fired again, and shot one of them in the head. As soon as I heard the discharge of the gun, I marched my whole party with their baggage to the place, being down the river. I found the man with part of his brains out. Thinking they might be met by some straggling fellows left to carry intelligence, I marched a party a mile or two further down the river, and then sent Captain Parr about three miles lower to burn a castle, and to deceive them by a feigned pursuit. When Captain Parr returned, we marched back, set fire to all the town, except one house, and about three o'clock, P. M. began our return, marching now from the left, the musquetry in front with bayonets, with orders, in case they should ambuscade us in recrossing the river, which I much expected, to advance and charge bayonets; but we met with no interruption. We marched twelve miles this day, burning every thing before us.

10th. About one o'clock this morning came on a very heavy rain, which continued all day: at day-break marched, it still rained excessive hard, and the creeks rising very fast. After marching about ten miles, we came to a creek so high, that the pack-horses were obliged to swim, and with the greatest difficulty got the troops over by felling trees, &c. On coming to the crossing place, on Susquehanna, it was so high, that on any other occasion the crossing it would be impracticable; but our provisions

visions being almost expended, it rendered our case desperate: I therefore, by mounting the men on horses (who were obliged in some places to swim) got the troops all transported, and by going over the mountains, evaded the two other places. This day burned all the houses in the Unadilla settlement that were on the south side of the Susquehanna, except Glagford's. We also burnt a saw-mill and grist-mill; the latter was the only one in the country. We marched four miles on this side of the Unadilla, having marched in all, this day, twenty miles.

11th. This day ordered the troops to rest and clean their arms, and prepared a raft to transport some men over the Susquehanna to burn the other part of the Unadilla settlement.

12th. Lieutenant Long, with one private, crossed on the raft, and burned all the houses. According to my computation, I think, there was upwards of 4000 bushels of grain destroyed at Anaquago and Unadilla. Marched about twelve miles, water still very high.

13th. Marched this day twenty-five miles, found it impossible to cross the Delaware, and by the negligence of the guide, in attempting to evade crossing the river, we lost our way.

14th. With some difficulty got on the road, and about eleven o'clock, P. M. arrived at Cowley's, being the first inhabitants on the frontier settlement between that and Unadilla. Marched this day from Mr. Sawyer's, being in all about fourteen miles.

15th. Marched this day to Matthias, fifteen miles.

16th. About two o'clock the troops returned to this place, when I ordered thirteen rounds of cannon to be fired, and a feu de joye, as a compliment which I thought due to the brave troops, who, with the greatest fortitude, surmounted each difficulty.

You will excuse the incorrectness

which you must find in my piece, and attribute them, in some measure, to the great haste I am in to let you know of my return.

I am, Sir,

Your humble servant,

WILLIAM BUTLER.

*Schoharie, October 16th, 1778.*

Published by order of Congress,

CHARLES THOMSON, Sec.

*Copy of a letter from his Excellency Sir HENRY CLINTON, to his Excellency General WASHINGTON.*

*New York, Nov. 10th, 1778.*

Sir,

It is not necessary at present to resume the consideration of the principal questions relating to the Convention of Saratoga, I wish merely to bring under review the resolution of Congress on the 21st of May, inclosed in your letter of the 23d to Sir William Howe.

It appears to me different from the practice of all nations or parties at war, and in some degree tending to increase the hardships of war, to refuse granting an equivalent of privates for officers.

Such an exchange at present may prevent great inconveniences to many of the parties concerned.

You have ordered the troops of the Convention to be removed from Massachusetts-Bay to Virginia, and I have ordered all the officers of your army, prisoners out on parole, to return here.

These movements, with all the hardships incident to them at this season, may in part be prevented, if you think proper to agree, that the officers of your army, prisoners on parole, or now here, be exchanged for officers and men of the troops of the Convention, according to the customary proportion, or according to such proportion as may be determined by Commissioners appointed on both sides.

If what I propose should meet with  
your

your approbation, and the time and place for the meeting of Commissioners for the purpose before mentioned is determined, I shall send Colonels O'Hara and Hyde, of his Majesty's foot-guards, as Commissioners on my part, who will be fully instructed and authorized to enter on the consideration of any matters that may arise in the conduct in this business.

Mr. Clarke, Assistant Commissary-general to the troops of the Convention, who will have the honour of delivering this letter, being desired by Major-general Phillips to return immediately to Cambridge by land, in order to settle some accounts relative to that army, I am to request a passport for him to return thither for that purpose. I have the honour to be, with due respect,

Your most obedient servant,

H. CLINTON.

*Head Quarters, Nov. 14th, 1778.*

Sir,

I received your Excellency's letter on the 10th instant through Mr. Clarke.

I have transmitted Congress a copy of your proposition, relative to an exchange of the troops of Convention, and shall do myself the honour to communicate their decision the moment it is made known.

Mr. Clarke has my permission to proceed by the most convenient route to the troops of Convention. I have the honour to be, with all due respect,

Your Excellency's most obedient servant,

GEORGE WASHINGTON.

*His Excellency Sir Henry Clinton.*

*Head Quarters, Fredericksburg, Nov. 27, 1778.*

Sir,

I do myself the honour of transmitting to your Excellency the inclosed copy of an act of Congress of the 19th instant, in answer to the propositions made in your letter of

the 10th. In order to negotiate an exchange on the principles therein mentioned, Lieutenant-colonels Harrison and Hamilton, of the army under my command, will meet Colonels O'Hara and Hyde at Amboy, on Monday the 7th of December, at 11 o'clock, with proper powers.

I would propose, as the means of expediting business, that our respective Commissaries of prisoners should attend at the same time and place, to carry into execution what shall be determined by the Commissioners. I have the honour to be with due respect, Sir,

Your most obedient servant.

GEORGE WASHINGTON.

P. S. If your Excellency should chuse to return me an answer, your letter will have the most ready conveyance by way of Elizabeth-town. *His Excellency Sir Henry Clinton.*

*In Congress, November 19, 1778.*

Resolved, That General Washington be empowered and directed to appoint Commissioners and fix the time and place of their meeting, to confer with the Commissioners appointed, or to be appointed, by Sir Henry Clinton, or other the Commander in Chief of the British forces in America, on behalf of his Britannic Majesty, on the exchange proposed by Sir Henry Clinton, in his letter to General Washington of the 10th instant, of the officers in the service of these States, now prisoners in the actual possession of the enemy, or out on parole, for the officers and men of the troops of the Convention, according to their rank and number; officers of equal rank to be first exchanged, after which, if it shall be necessary, an equivalent of inferior for superior officers; and if agreeable to such equivalent, all the officers of the enemy shall be exchanged, and a balance of prisoners remain in their hands, then an equivalent of privates shall be settled according

according to the customary proportion, or such proportion as may be agreed on. The Commissioners to be appointed by virtue hereof, to make report of their proceedings to General Washington, who is hereby authorized and empowered finally to ratify the terms of the said exchange on behalf of these United States.

Resolved, That General Washington be directed to call for Lieutenant-general Burgoyne, and other officers of the Convention troops, now prisoners to these United States on parole, whenever the interest of the United States shall, in his opinion, render it necessary.

Extract from the Minutes,

CHARLES THOMSON, Sec.

Sir, December 2d, 1778.

I have received your letter of the 27th of last month, relative to the exchange of prisoners proposed by me in mine to your Excellency of the 10th; and in consequence thereof, I shall send two Commissioners to meet the like number on your part, at the time and place appointed, when I hope both parties will enter upon the business proposed, with that zeal which the importance of the object may require.

I propose sending with my Commissioners, as is usual upon such occasions, one commissioned officer, one Serjeant, and eight private centinels.

It is to be understood, that the place of meeting is to be exempt from every kind of military operation during the meeting of the Commissioners.

For the more immediate dispatch of business, it may be necessary that the Commissioners should be authorized to grant passports signed by both parties, to suffer persons that may be employed in carrying letters to the Head-quarters of both armies to pass unmolested.

I am, with due respect, Your Excellency's most humble servant,

H. CLINTON.

His Excellency General Washington.

By his Excellency Sir HENRY CLINTON, Knight of the Most Honourable Order of the Bath, General and Commander in Chief of all his Majesty's forces within the Colonies laying on the Atlantic Ocean, from Nova Scotia to West Florida inclusive, &c. &c. &c.

To Colonel CHARLES O'HARA and Colonel WEST HYDE, of his Majesty's foot guards.

In pursuance of a proposal made by me to General Washington, respecting an exchange of the officers of his army who are prisoners, for the officers and men of the troops of the Convention, according to the customary proportion, or such proportion as may be determined by Commissioners appointed for this purpose on both sides; I do hereby nominate and appoint you, Colonel Charles O'Hara and Colonel West Hyde, of his Majesty's foot-guards, Commissioners on my part for the purposes aforesaid; and you are accordingly to treat, determine, and agree with a like number of Commissioners of suitable rank on the part of General Washington, vested with similar powers to those herein contained, upon all matters whatsoever, relative to the exchange of prisoners before mentioned.

For all which this shall be to you, Colonel Charles O'Hara and Colonel West Hyde, a sufficient warrant, and your engagements so concluded upon, will, upon condition of their being mutually interchanged, be finally ratified on my part.

Given under my hand and seal, at Head-quarters, in New-York, the 7th day of December, 1778.

H. CLINTON.

By his Excellency's command,

JOHN SMITH, Sec.

By his Excellency GEORGE WASHINGTON, Esq. General and Commander in Chief of the forces of the United States of America.



To Lieutenant-colonel ROBERT HAN-  
SON HARRISON, and Lieutenant-  
colonel ALEXANDER HAMILTON.

His Excellency Sir Henry Clinton  
having by a letter to me of the 10th  
instant made a proposition to the fol-  
lowing effect, viz. "to exchange the  
officers of our army who are prison-  
ers on parole or otherwise in his pos-  
session, for officers and men of the  
troops of the Convention, according  
to the customary proportion, or ac-  
cording to such proportion as might  
be determined by Commissioners ap-  
pointed on both sides,"

And the Honourable the Congress  
having authorized me, by an Act  
passed on the 19th instant, "to ap-  
point Commissioners to confer with  
such as are or may be appointed by  
Sir Henry Clinton, on the exchange  
proposed by him; and directed that  
officers of equal rank be first exchang-  
ed; after which, if it should be ne-  
cessary, an equivalent of inferior for  
superior officers; and if agreeable  
to such equivalent, all the officers of  
the enemy shall be exchanged, and  
a balance of prisoners remain in their  
hands, then an equivalent of privates  
is to be settled according to the  
customary proportion, or such pro-  
portion as may be agreed on."

In virtue of these powers, you the  
said Robert Hanson Harrison and  
Alexander Hamilton, are appointed,  
and I do hereby appoint you Com-  
missioners to repair to Amboy, in the  
State of New Jersey, on Monday the  
7th of December, then and there,  
or at such other place as shall be af-  
terward mutually agreed on, to con-  
fer, agree, and determine, with the  
Commissioners nominated, or to be  
nominated by Sir Henry Clinton,  
and who shall be properly authorized,  
upon an exchange of prisoners,  
agreeable to the terms of the said re-  
cited Act.

For which this shall be your war-  
rant; and your engagements being  
mutually interchanged, shall be ra-  
tified and confirmed by me.

Given under my hand and seal, at  
Head-quarters, this 30th day of  
November, Anno Domini 1778.

GEORGE WASHINGTON.

By his Excellency's command,

TENCH TILGHMAN.

Copy of a letter from Colonels O'HARA  
and HYDE to Lieutenant-colonels  
HARRISON and HAMILTON.

Amboy, 12th of December, 1778.

Gentlemen,

We cannot sufficiently lament, that  
the purposes of our meeting, you  
will pardon us for observing, have  
been defeated, by a less generous and  
extensive construction of the resolu-  
tions of Congress of the 19th of  
November, than the view in which  
we had considered them.

Every sense of honour, justice, and  
humanity, make it impossible to  
acquiesce in a proposal which might  
lead to separate the officers from the  
private soldiers, by exchanging the  
former, and suffering the latter to  
remain in captivity.—Companions in  
their more fortunate hours, they must  
be equally sharers of affliction.—  
Such cruel and unprecedented dis-  
tinctions, between men who have  
equally a claim upon the favour and  
protection of their country, we are  
certain, your own feelings as officers  
and men would condemn. You will  
consequently not be surprized, that  
we cannot assent to the partial mode  
of exchange proposed.

We beg leave therefore to acquaint  
you, that we intend returning to  
New-York to-morrow, to make our  
report to Sir Henry Clinton.—Let  
us flatter ourselves, that some expe-  
dient may be immediately embraced  
by both parties, upon such honour-  
able, humane, and disinterested prin-  
ciples, as may give the most speedy  
and ample relief, to every order of  
unfortunate men concerned.

We are, Gentlemen,

(Signed) CHARLES O'HARA,  
WEST HYDE.

To Lieutenant-colonels Harrison and  
Hamilton.

Answer.

*Answer to the foregoing letter.*

*Amboy, December 12, 1778.*

Gentlemen,

We have read the letter with which you were pleased to favour us this afternoon:

We join with you in lamenting that the purpose of our meeting has been frustrated; and we assure you, that it is to us matter of equal concern and surprize to find, that there should be a difference in our respective constructions of the resolve to which you refer, persuaded as we were, that the terms of that resolve were too simple and precise to admit of more than one interpretation, we did not even suspect it possible to differ about its meaning; and the objects of our meeting having been delineated in a manner which appeared to us perfectly clear and explicit, we had no expectation of the difficulty which has occurred in carrying them into execution.

You will not be surpris'd that this should have been the case, when you recur to the circumstances that produced our meeting; we beg leave to recall them to your view. Sir Henry Clinton, in his letter of the 10th of November, proposed to General Washington, an exchange of our officers, prisoners in his hands, for officers and men of the Convention troops. — General Washington replied, that he did not think himself authorized to accede to the proposal, but would refer it to Congress, and communicate their decision. In a subsequent letter of the 27th, he transmitted the resolve in question as an answer to the proposition contained in Sir Henry's letter of the 10th, "at the same time announcing our appointment as Commissioners, to negotiate an exchange on the principles therein mentioned." — The language of the resolve was literally this, to exchange "the officers in the service of the United States, prisoners in the actual possession of the enemy,

or out on parole; for the officers and men of the troops of the Convention; according to their rank and number: officers of equal rank to be first exchanged, after which, if it shall be necessary, an equivalent of inferior for superior officers, and if agreeably to such an equivalent, all the officers of the enemy shall be exchanged, and a balance of prisoners remain in their hands, then an equivalent of privates shall be settled, according to the customary proportion, or such proportion as may be agreed on." Sir Henry Clinton, in his letter of the 2d instant, acknowledged the receipt of the foregoing, and consented, "in consequence," to a meeting of Commissioners at the time and place appointed.

This, Gentlemen, you will be sensible could not be considered by us otherwise than as an acquiescence with the terms of the resolve; and we appeal to your own candour for their perspicuity and natural import. It could not therefore but appear strange, that at first sight of our powers, without any comment or explanation, though they were expressed not only in the spirit but in the letter of the resolve, you at once objected to them, and declared the purpose of our meeting had been misunderstood. As the one was only a transcript of the other, we conceived from the manner in which the objection was raised, that it applied not to any construction given to the resolve, but to the resolve itself.

How far the feelings of honour, justice and humanity, may be repugnant to a compliance with the proposal which has been made; you only can determine for yourselves; though we think it a question which might have merited an earlier consideration.

We believe, however, it is not very customary to exchange officers for privates, when there is a sufficient number of officers on both sides to exchange for each other; but that

this is rather a secondary expedient made use of only where there are officers on one side, and none on the other. In the present war the practice of exchanging officers for private men in any case whatever, has not yet been known; and if exchanges conducted without reference to this principle, have heretofore been thought consistent with justice and humanity, we can perceive no sufficient reason why a different opinion should be entertained at this time.

With respect to any inconveniences which you think might attend exchanging all the officers of the Convention troops, we take the liberty to repeat what we mentioned in our interview this morning, that we are willing to exchange as many of them as you may judge proper for others of equal rank, as far as numbers will extend.

We beg leave to assure you, that we should be happy to be afforded an opportunity of concurring with you to the utmost of our power in measures for extending relief, as far as the circumstances of the parties will permit, to every order of captivity, on principles of humanity and mutual advantage.

We are, Gentlemen,  
Your most obedient humble servants,  
ROBERT H. HARRISON,  
ALEXANDER HAMILTON.  
*Colonels O'HARA and HYDE.*

*Report of Colonels O'HARA and  
HYDE to Sir HENRY CLINTON.  
New-York, Dec. 15, 1778.*

Sir,

In obedience to your commands, we met on Friday last the 11th instant, at Perth Amboy, Lieutenant-colonels Harrison and Hamilton, deputed by General Washington to treat with us on the several matters respecting the proposed commission.

After the usual forms of reading, and mutually interchanging copies of the authorities under which we

were to act respectively, the business was commenced by our observing,

—That their commissions appeared to us a literal copy of the resolution of the Congress, of the 10th of November, relative to the affair before us; that if they were not as liberty, which we could not conceive possible, of departing from the line prescribed to them, we could not give our consent to the partial mode of the exchange proposed, as it was inadmissible upon every principle of former precedent, honour, justice, and humanity; that as our main object in the proposed exchange was to relieve, as far as we had the means, the unfortunate sufferers concerned, without distinction or predilection in favour of rank or situation; we were ready to exchange a proportion, a moiety, if required, of our officers for theirs of suitable rank; and the moiety of their officers for such a proportion of private soldiers of the army of the Convention of Saratoga, as might be agreed on.

To the foregoing observation and proposition, the Commissioners from General Washington replied, —that they were not at liberty to pursue any other mode in this exchange, than the one pointed out to them in the resolution of the Congress; that if the exchange could not take place in the whole, but in part only, that the resolution of the Congress already mentioned, authorized them to make an exchange of whatever number of officers might be required of them for a like number and equal rank of ours; and the remainder to continue prisoners till some future arrangement might be determined on; but would not consent to the exchanging any of the private soldiers for officers, unless there should remain a balance of their officers in our possession, after exchanging all those of the Convention army.

As we industriously avoided giving offence

offence by making comments upon the resolutions of their Congress, or any matter that was proposed by General Washington's Commissioners, we did not think ourselves at liberty to make a very obvious and natural remark upon that part of the resolutions of the Congress, where they say, that they will exchange officers for private soldiers, if there should remain a balance of their officers in our hands after the whole of our officers should be exchanged.—The Congress were well apprized that this part of their resolutions could never operate, as they must know that the number of officers of the Convention army were nearly equal to their officers, prisoners with us, and that at this time we have a very inconsiderable number of their private men prisoners.

We will not trouble your Excellency, with a recapitulation in this report of our reasons for not acquiescing in the proposal of General Washington's Commissioners, as they are contained in our letter to those Gentlemen, a copy of which is annexed, setting forth the grounds upon which we declined taking any steps in this business; and our intention of returning to New-York to have the honour of making our report to you as soon as possible.—We inclose for your Excellency's information a copy of General Washington's commission, directed to Lieutenant-colonels Harrison and Hamilton, as the authority under which they were to act; and likewise a letter from those Gentlemen, in answer to ours already mentioned.

Give us leave, Sir, to return you our most sincere acknowledgments for the honour intended us in our proposed commission, which we can never sufficiently regret not having been carried into execution, when we consider the magnitude of the object, and how very fortunate we should have thought ourselves, could we

have contributed in the smallest degree to its accomplishment.

We have the honour to be, Sir,

Your Excellency's

Most humble and obedient Servants,

CHARLES O'HARA.

WEST HYDE.

His Excellency Sir HENRY CLINTON,  
&c.

*Philadelphia, December 26.*

*New-York, October 31, 1778.*

Sir,

Agreeable to my letter of the 28th instant, per Mr. Keene, I am to acquaint you of my having received his Excellency the Commander in Chief's orders to summon all your officers who are prisoners at home on their paroles, to repair immediately into New-York; of which you will take the most speedy and effectual measures to inform them.

I am, Sir, your most obedient,

Most humble servant,

JOSHUA LORING,

Com. Gen. Prisoners.

*Colonel Beatty.*

The Gentlemen (a list of whose names are annexed) are required strictly to comply with the requisition contained in the above letter. Should any, through great indisposition of body or other unfurmoutable difficulty, be prevented from returning forthwith agreeable to their paroles, it is presumed they will make a proper report as early as possible.

JOHN BEATTY,

Com. Gen. Prisoners.

*Prince-town, November 12, 1778.*

*Return of officers at home on parole,*

*October 12, 1778.*

General William Thompson.

Colonels, Robert Magaw, Michael Swoop, David Potter, William Coats, George Matthews, George Baylor, Nicholas Houseger.

Lieutenant-colonels, Peter Kechlein, Nicholas Lutz, John Ely, Thomas Ramfay, Thomas Reynolds, Christopher Green.

Major,

**Majors,** Aquilla Giles, Francis Murray, William Dark, Enoch Edwards, William Ellis, Oliver Towles.

**Brigade-majors,** Daniel Hammit, Ebenezer Bement.

**Captains,** Edward Bulkley, John Willis, Moore Fauntleroy, Samuel Fisher, John Spotswood, Aaron Chew, Thomas Hewitt, Alexander Baldwin.

**Lieutenants,** Samuel Dodge, John Stotsbury, William Cohoon, Jacob Bright, Edward Hall, Henry Jeans, John Connelly, Peter Wiser, Benjamin Hickox, Samuel Willcox.

**Ensigns,** Giles Mumford, Elihu Hall, Andrew Thompson, Andrew M'Minn, John Spear.

**Adjutant,** Daniel Kennedy.

**Deputy Adjutant-general,** Solomon Bush.

**Commissary-general Musters,** Gunning Bedford.

**Chaplain,** ——— Cordel.

**P. S.** The printers in the different States are requested to give this summons an early publication.

*In Congress, Dec. 16, 1778.*

Congress took into consideration the proceedings of the General Court-martial on the trial of Major-general St. Clair: whereupon,

Resolved, That the sentence of the General Court-martial, acquitting Major-general St. Clair with the highest honour of the charges exhibited against him, be, and is hereby confirmed.

Ordered, That this resolution be transmitted to the Commander in Chief.

Extract from the Minutes.

CHARLES THOMSON, Sec.

On Tuesday se'ennight his Excellency George Washington, Esq. General and Commander in Chief of the forces of the United States of America, arrived at Philadelphia, and on Thursday following his Excellency the President, the Honourable Vice-president, and the Supreme Executive Council of the Common-

wealth of Pennsylvania, waited on his Excellency General Washington; when his Excellency the President addressed him in the following words:

*May it please your Excellency,*

Addressees are too often the language of unmeaning compliment and empty ceremony; but we approach you, Sir, with far different sentiments, such as become freemen, in the hour of gratitude and affection to express, and a patriot General to receive. The present contest is the most important to the liberty of mankind that has ever happened in the world. And while we acknowledge with reverence the favour of Providence in other respects, we cannot overlook its goodness in giving and preserving a life endeared to America by a series of services, virtues and successes, which have yet no parallel in the annals of mankind.

Pennsylvania, Sir, in particular, has had too recent experience of the blessings flowing from these services and virtues, to be silent when the capital is again favoured by your presence. And we express our own and the feelings of her virtuous sons, whom we now have the honour to represent but too imperfectly, while we offer our most ardent wishes, that, as you have been the great deliverer of our common country, you may long live its first and most illustrious citizen; and at a late, a very late hour, receive the reward which Heaven alone can bestow upon merit so transcendent.

To which his Excellency General Washington replied,  
*Mr. President and Gentlemen of the Council,*

I feel myself at a loss to express the grateful sense I have of the too indulgent testimony of the attention and esteem with which you have been pleased to honour me in your polite address. If my well-meant endeavours in this important contest have been in any degree conducive to the  
safety

safety of America in general, or the advantage of this State in particular, they are more than repaid by so flattering and honourable a mark of the approbation of its virtuous citizens. My reverence for the Representatives of the people makes me happy in receiving it through that channel, and my first wish is, by fresh proofs of my zeal, to justify a continuance of their confidence. I ardently hope, that a perseverance in the same patriotic dispositions and exertions throughout these States, which have already brought our affairs so far towards a prosperous conclusion, will speedily crown them with final success, and establish the happiness of our common country on the firm basis of peace, freedom and independence.

*Philadelphia, January 7.*

The Assembly of Maryland have acceded to the confederation.

*In Congress, January 2, 1779.*

Whereas these United States, unprovided with revenues, and not heretofore in a condition to raise them, have, in the course of the present war, repeatedly been under the necessity of emitting bills of credit, for the redemption of which the faith of these United States has been solemnly pledged; and the credit of which their honour and safety, as well as justice, is highly concerned to support and establish. And whereas to that end it is essentially necessary to ascertain the period of their redemption, and seasonably to establish funds, which, in due time, without distressing the people, shall make adequate provision for the same. And whereas, in apportioning the payments for the said fund, it is expedient that an extra sum be called for the current year, both on account of the present case of paying it, and to reduce the surplus in circulation. Therefore resolved, that these United States be called on to pay in their respective quotas of fifteen millions of dollars in the year

1776, and of six millions of dollars annually for 18 years from and after the year 1779, as a fund for sinking the emissions and loans of these United States to the 31st day of December, 1778, inclusive.

That if the continuance and circumstances of the war shall make any farther emissions necessary the year ensuing, they shall be sunk in the manner and within the period aforesaid.

That any of the bills emitted by order of Congress, prior to the year 1780, and no others, be received in payment of the said quotas.

That the bills received on the said quotas, except those for the year 1779, be applied first for payment of the interest, and secondly of the principal of loans made by these United States prior to the year 1780, and that the residue, together with those received on the quotas of the year 1779, be not re-issued, but burned and destroyed as Congress shall direct.

And whereas many counterfeits have appeared in circulation, of various denominations, of the emissions of May 20, 1777, and April 11, 1778, and counterfeits of these emissions have lately been issued by our enemies at New-York, and are found to be spreading and increasing fast in various parts of these United States; whereby individuals are defrauded, prices enhanced, and the credit of the paper currency greatly injured; and it is become necessary, for the security of individuals and safety of the public, that those two emissions should cease to be a circulating medium, and should be called in and exchanged, or otherwise provided for as may be with convenience to the present holders,

Therefore

Resolved, That the following bills be taken out of circulation, namely, the whole emissions of May 20, 1777, and April 1, 1778.

That

That they be brought in for that purpose in the manner hereafter provided by the first day of June next, and not afterwards redeemable.

That they be received for debts and taxes into the Continental treasury, and into the state treasuries for Continental taxes, until the first day of June next.

That they be received until the first day of June next, into the Continental loan offices, either on loan or to be exchanged at the election of the owners, for other bills of the like tenor, to be provided for that purpose.

That the bills lodged in the said offices to be so exchanged, be there registered, and indented certificates thereof given to the owners by the respective commissioners of the said offices.

That the commissioners of the loan offices make returns to the treasury board, immediately after the first day of June next, of the amount of the bills received into their respective offices to be exchanged as aforesaid, and that proper bills to exchange the same be furnished and ready to be delivered out at their said offices, within sixty days from and after the said first day of June.

That the first-mentioned bills, as they are brought into the treasuries and loan offices, be immediately crossed and struck through with a circular punch of one inch diameter, to be afterwards examined and burned, as Congress shall direct.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*By his Excellency RAWLINS LOWNDES,*  
*Esq. President and Commander in*  
*Chief of the State of South Carolina,*  
A P R O C L A M A T I O N.

Whereas in the night of the 6th instant a most violent riot was committed in Charles-town, and the good people thereof alarmed and disturbed with the firing of cannon and small

arms, between the American sailors and the sailors of foreign nations, by which some lives were lost, and several persons wounded, to the great scandal of Government, and the reproach of the laws: and whereas, in such a scene of general disorder and confusion among the number of persons collected together, it is difficult to ascertain and distinguish those who began, aided, and promoted the riot, from those who assembled for the laudable purpose of preventing and opposing it, and maintaining the public peace: and whereas, from some guns fired from the wharf, one person going on board the ship *Count de Narbonne*, Capt. Bell, lying at the end of *Burn's Wharf*, was killed, and another dangerously wounded, supposed to be done by some person or persons concerned on the said wharf, behind a heap of shingles lying there. In order to detect and bring to condign punishment the authors, promoters, and encouragers of this most daring and outrageous behaviour, and to discover the persons who actually fired the guns from behind the shingles, which killed and wounded two men coming on board the said ship, I have thought fit, by the advice of the honourable the privy council, to issue this my Proclamation, offering a reward of one thousand pounds to any person or persons (except the party concerned) who will give information against, and prosecute the offenders guilty of the said offence, or either of them: and I do charge and require all magistrates and peace-officers, and all other good citizens of this State, to be vigilant and active in suppressing and preventing all riots, disturbances, unlawful and tumultuous meetings against the public peace, and to discountenance and discourage, by all lawful means in their power, all indecent, illiberal, and national reflections, against the subjects of his Most Christian Majesty, our great and

and good ally, as tending to excite resentment and ill-will among those whom, by interest, treaty, and alliance, we are bound to regard as friends, and who are particularly entitled to our favour and protection.

Given under my hand, and the great seal of the State of South-Carolina aforesaid, at Charles-town, this eighth day of September, in the year of our Lord one thousand seven hundred and seventy-eight.

RAWLINS LOWNDES.

*Message from the President.*

*Mr. Speaker, and Gentlemen of the General Assembly,*

Two nights ago a very great riot and disturbance happened in this town, which very much alarmed the inhabitants, and obliged the militia to be under arms a considerable part of the night. It proceeded from a quarrel amongst the sailors, where the resentment was carried to such a height, as to produce open hostilities and fight, with fire arms; the French sailors from their vessels, and the American sailors, and others, from the shore: the loss of several lives was the consequence, and many are wounded. I recommend, gentlemen, to you, to form some regulations, which may prevent these abuses, which threaten very fatal consequences; and, that some means may be adopted, to prevent that illiberal and national abuse, which too often is used towards foreign nations by our sailors, and which naturally excites resentment and ill-blood, and, in its consequences, terminates in riot and disturbance.

RAWLINS LOWNDES.

8th Sept. 1778.

*Message to the President.*

*In the General Assembly, the 12th day of September, 1778.*

*May it please your Excellency,*

In answer to your Excellency's message of the 8th instant, relative to the riot in the evening of Sunday last, the House informs your Excel-

VOL VII.

lency, that they have appointed a committee to revise the laws relative to seamen in the port of Charles-town, and to consider of ways and means to suppress riots in the said town, and doubt not that such measures will be adopted as shall secure peace and good order in future. They cannot but express the great concern with which they are affected, that the slightest dissensions or animosities should prevail between any citizen of America and the subjects of our great and illustrious ally; and are confident, that no step will be left untried, by your Excellency, to obtain the most complete intelligence, as to the first movers in the riot, by ordering a full examination to be taken, from people of every country, who may possibly throw a light upon the enquiry; and that your Excellency will ultimately be enabled to bring such persons to justice as shall appear deserving of punishment. And we assure your Excellency, we will make ample provision for any expences that may be incurred in such investigation, and for any rewards that your Excellency has already offered, or may find necessary further to offer, on the occasion.

By order of the House,

THOMAS BEE, Speaker.

*St. James's, March 17, 1779.*

*Copy of a letter from Major-general MUNRO to the Lord Viscount WEYMOUTH, his Majesty's Principal Secretary of State.*

*Pondicherry, October 27, 1778.*

My Lord,

I have the honour to inform your Lordship of the success of the East-India Company's troops against Pondicherry, after a siege of two months and ten days from the first investing of the place. The town surrendered by capitulation on the 17th of October, and I have sent herewith the terms of capitulation. I have to request your Lordship will be pleased

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to



to lay them before his Majesty ; and as I have been so fortunate as to have had the honour of commanding troops that have reduced a place of such consequence to the British settlements in India, my utmost wish now is, to have his Majesty's approbation of my conduct. As your Lordship may wish to be informed of the operations of the troops during the siege, I have the honour to send you the following account :

On the 8th of August, part of the troops intended for the siege encamped on the Red Hill, within four miles of Pondicherry ; but it was the 21st before a sufficient number of troops were assembled so that we could attempt to advance. On this day we took possession of the bound hedge, within cannon shot of Pondicherry, which prevented all communication with the town by land. On the 6th and 7th of September we broke ground, both on the north and south side of the town, it having been determined to carry on two attacks ; and on the 18th we opened our batteries with 28 pieces of heavy artillery, and 27 mortars. Though our fire on the town was very great, yet the enemy's was equally so on us from day-break till towards the evening, when our batteries had apparently the advantage, and the fire from the fortrefs decreased greatly. The approaches were continued with the utmost expedition possible ; but the obstinate defence of the garrison made it necessary to act with caution, and the violent rains that fell retarded the works. A gallery being carried into the ditch to the southward, a breach made in the bastion called L'Hospital, and the faces of the adjacent bastions being also destroyed, it was resolved to pass the ditch by means of a bridge of boats made for the purpose, and to assault the place ; while, on the north attack, our batteries had ruined the east face of the north-west bastion, and a float was

prepared to pass the troops over the ditch at the same time ; another attack was to have been made on the sea-side to northward, where they had stockades running into the water. This was intended to have been put into execution the 15th of October before day-light ; but in the forenoon of the 14th, the water in the ditch to the southward was so raised by the rains for two or three days before, that it forced itself into the gallery, broke it down, and damaged the boats intended for the bridge. It required two days to repair the damage done ; and every thing being ready for the assault, it would have taken place on the 17th ; but on the 16th, M. Bellecombe sent me a letter by his Aid-de-Camp, M. de Villette, relative to a capitulation, which was signed by both parties the next day.

The gallant defence made by M. Bellecombe will ever do him honour ; and I beg leave, in justice to the troops I had the honour to command, to assure your Lordship, that they acted with the most determined resolution on every occasion. I am in a most particular manner obliged to Sir Edward Vernon, and his Majesty's Squadron, who most cheerfully gave every assistance during the whole siege ; and when the assault was resolved on, Sir Edward landed his marines, and two hundred seamen to assist in the attack.

I have the honour of sending your Lordship herewith a return of the killed and wounded on both sides, together with a list of cannon and stores taken in Pondicherry.

These dispatches will be delivered to your Lordship by Ensign Rumbold, of the 6th regiment of foot, who obtained his Majesty's leave to come to India with his father, the Governor of this settlement. He has acted as one of my Aid-de-Camps since I have been on this coast ; and as I have great reason to be perfectly satisfied with his conduct, I beg leave

to recommend him to your Lordship as a young man of merit. He takes with him the colours of Pondicherry, to have the honour of laying them at his Majesty's feet.

I have the honour to be, &c.

(Signed) HECTOR MUNRO.

*Capitulation for Pondicherry.*

*Preliminary Article.*

Mr. De Bellecombe, Major-general in his Most Christian Majesty's armies, General Commandant of the French establishments in the Indies, Governor of Pondicherry, proposes to Major-general Munro, commanding the English army, to surrender the place the 25th of this month, if before that period he does not receive any succour; and requires, that in the mean time hostilities be suspended on both sides, as also the works, and that there shall not be any communication between the besiegers and besieged.

Answer. The fort of Pondicherry must be delivered up at twelve o'clock to-morrow at noon, and the British troops put in possession of the Velle-nore gate at that time.

ART. I. The officers on the staff, the garrison, and other military persons defending Pondicherry, shall have the honours of war: they shall retire by the sea-port with their arms and baggage, colours flying, drums beating, lighted matches, with six cannons, two cast mortars, which shall be put on board the vessel in which M. De Bellecombe shall embark; each piece shall have six charges, and each soldier have fifteen cartouches.

Answer. The gallant defence made by Major-general Bellecombe and his garrison, justly demands every mark of honour: the garrison are therefore allowed to march out of the Velle-nore gate with the honours of war; they will, on the Glacis, pile up their arms by order from their own officers, where they will leave them, with their drums, the cannon and

mortars. The officers in general are allowed to keep their arms; and the regiment of Pondicherry, at General Bellecombe's particular request, are allowed to keep their colours.

ART. II All the officers and soldiers, as well of the regiment of Pondicherry as of the artillery, and of the Seapoys and their suite, as also the Caffres and Mallays belonging to the artillery (who are free) shall be sent, at the charge of his Britannic Majesty, and as commodiously as possible, to the Isle of France, in English vessels, well and duly victualled. The said officers and soldiers shall take with them all their effects, without being examined, and their servants and slaves; and those who are married, shall have the liberty of taking away their families. In the number of officers above-mentioned, who are to be sent to the Isle of France at the charge of his Britannic Majesty, M. Dione, Major of Infantry, an inhabitant at Bourbon, now at this place, shall be included.

Answer. All the European officers and soldiers shall proceed to Madras, where, or in its neighbourhood, they will be properly accommodated till such time as ships can be provided by the Government of Madras to transport them to France, which shall be done as expeditiously as possible. The Caffres, Seapoys, and Mallays, shall deliver up their arms, and be allowed to go where they please. Whatever relates to private property, families and slaves of the officers and soldiers, is granted. M. Dione, Major of infantry, shall be provided with a passage to the Isle of France.

ART. III. The treatment stipulated by the preceding Article, shall equally take part for the transportation to France, or to the Isle of France, at their choice, of all the other military persons, officers of government, of the Superior Council

oil and other Courts of Justice; and those for the affairs of the India Company; the writers, clerks, and others in the service; and in general for all persons who are or have been employed in the King's service, in what quality soever.

Answer. Answered in what relates to the military in the foregoing article. Granted as to the rest; and ships shall be provided by the Government of Madras.

ART. IV. The most commodious vessel shall be chosen and well victualled, at the charge of his Britannic Majesty, to carry to France, by the most direct passage, M. de Bellecombe, his family, his Aids-de-camp, and the persons whom he shall think proper to take with him, as well as his domestics, with all his papers, equipages, plate, and baggage, which shall not be subject to any examination: amongst the said effects shall be included a large picture of the King, which was given to that General, and which cannot be detained upon any pretence whatsoever.

Answer. Granted, at the expence of the Government of Madras.

ART. V. Another vessel shall be provided, to convey to the Isle of France M. des Auvergnés, Brigadier of the King's forces, Colonel of the regiment of Pondicherry, and his Staff Officers. His papers and effects, as well as those of the said officers, shall not be subject to any examination; and they may take away with them their servants and slaves.

Answer. Proper passages and accommodations shall be provided, at the expence of the Government of Madras, to transport M. Auvergnés, Brigadier-general, and Colonel of the regiment of Pondicherry, his Staff, and attendants, to France. His baggage and papers not to be searched, nor those belonging to his Staff.

ART. VI. The like provision, with due distinction, shall be made,

at the charge of his Britannic Majesty, for the passage to France of M. Law de Lauriston, Brigadier of the King's forces, ancient Commandant of the French in India; M. Coutameaux, Lieutenant-colonel; M. de Boissel, Lieutenant-colonel, Commandant of Karical; M. Ruffell, Lieutenant-colonel; M. Leonare, Major of infantry, Commandant of the corps of Seapoys; and the engineers and officers belonging to the artillery. They may take away with them their families, servants, and slaves, and embark all their papers and effects without examination.

Answer. Granted, at the expence of the Government of Madras.

ART. VII. A ship shall in like manner be provided, at the charge of his Britannic Majesty, for the passage to France of M. Cheureau, the King's Commissary, Commissary-general of the marine, Superintendent at Pondicherry, with the officers of Government, and other persons whom he shall think proper to take with him, and their families and attendants. This vessel shall be commodious, and duly victualled. The papers, equipages, plate, and baggage, which M. Cheureau shall embark therein, shall be exempt from any search. Provision shall also be made, with proper attention, at the charge of his Britannic Majesty, for the passage to France, or to the Isle of France, of the officers of the Superior Council, and those for the affairs of the India Company, and other Civil Officers who merit any distinction; and they shall enjoy the same facilities for their families, their attendants and baggage, as are stipulated in the present Article.

Answer. A proper passage and accommodation will be provided, at the expence of the Government of Madras, for M. Cheureau, and the rest of the Gentlemen mentioned in this article. Their baggage and papers shall not be searched.

ART. VIII.

ART. VIII. M. de Bellecombe shall not be obliged to go to Madras, nor to any other English settlement. He shall not leave Pondicherry till the day of his embarkation, which shall not exceed the month of January, if it cannot take place sooner; and no person shall be quartered in the Governor's house before his departure. He shall retain therein his guards armed, and all the honours of his post. M. Cheureau shall also remain at Pondicherry till his embarkation, which shall not be later than next January, if it cannot take place sooner. He shall retain the Intendant's house, without any person pretending to be quartered therein before his departure.

Answer. Proper houses and accommodations shall be provided for Major-general Bellecombe and Monsieur Cheureau at Madras, agreeable to their rank and station, to which place they must remove within twenty days from the signing of the Capitulation, and will be provided with ships for their passage in the month of January next, or as near it as possible.

ART. IX. No officer, civil or military, or soldier or sailor, shall be sent either to Madras, or elsewhere. Such as cannot be embarked at the same time, whether on account of sickness or otherwise, shall wait at Pondicherry for an opportunity of being conveyed to the Isle of France; and no authority shall be given in any case to force, or even to solicit, the soldiers or sailors to enter into the service of his Britannic Majesty, or of the India Company.

Answer. Answered in the second article with regard to the soldiers; the sailors in health to proceed to Madras. The sick of all denominations remaining at Pondicherry, shall be taken proper care of. The latter part of this Article agreed to.

ART. X. The treatment and subsistence of the officers, soldiers,

and sailors, now at Pondicherry, as also of all other persons employed in the service of the King, shall be furnished at the charges of his Britannic Majesty from the day after the present Capitulation until the day of their landing in the islands of France and Bourbon, or in France. Such of the said officers, soldiers, sailors, and also the Topas and Indians, who are now ill in our hospitals, shall be subsisted and nursed there, until their perfect recovery, at the charges of his Britannic Majesty.

There shall be left a writer of the marine, and some officers of health, to have an eye to their welfare, and take care of them till they are embarked. The subsistence of the writer of the marine and the officers of health above described, shall be continued at the charges of his Britannic Majesty, until their return to France.

And as all these objects may occasion considerable details, a Commissary shall be named to discharge the duties of an Agent, who shall take an account of all receipts and disbursements which shall be made for the subjects of his Majesty, and who shall be authorized to claim in all cases the execution of the Articles of the present Capitulation.

Answer. All European officers, soldiers, sailors, and all other Europeans employed in his Most Christian Majesty's service, now in Pondicherry, shall be properly subsisted at the expence of the Government of Madras, till they arrive in France, or the Isle of France; what relates to the sick, answered in the foregoing Article. A writer of the marine and two officers of health will be allowed to remain and take care of the sick, and be subsisted at the expence of the Government of Madras. The appointment of a Commissary does not appear necessary.

ART. XI. The artillery, arms, ammunition, provisions, and in general all the effects of the King, which shall

shall be found in this place, shall be truly delivered, after exact inventories, to the Commissaries who shall be appointed to receive them in the name of his Britannic Majesty. Duplicates of these inventories shall be transmitted in due form to Monf. De Bellecombe.

Answer. A Commissary will be named by Major-general Musro to receive all the artillery, arms, ammunition, provisions, and in general all the effects belonging to his Most Christian Majesty, from the Commissary appointed by Major-general Bellecombe. A regular list will be taken, and a duplicate delivered to him.

ART. XII. The fortifications, the Governor's house, the magazines, and other buildings belonging to the King, shall be preserved in their present state, of which there shall be drawn out an account by the chief engineer of this place, jointly with the Commissaries of his Britannic Majesty, and there shall be nothing destroyed.

Answer. The fortifications and public buildings in Pondicherry shall be in no ways destroyed, until further instructions are received from Europe.

ART. XIII. The free exercise of the Roman Catholic religion shall be entirely preserved. The churches shall be respected, the ecclesiastics and religious orders shall be supported in the full enjoyment of their houses, and all their other property and privileges. Protections shall be given to this effect, principally to the Apostolical Prefect, in order that he may exercise without fear, and with decency, the functions of his office. The Missionaries shall be at liberty to go from place to place, to proceed in their respective functions, and they shall receive under the English flag the like protection as they enjoyed under the French flag. In particular, the Bishop of Tabraca, now at Pondicherry, shall have every

regard paid to him, which he merits by his piety still more than by his dignity.

Answer. Granted as long as they behave with propriety, and do not endeavour to make converts from amongst people professing the Protestant religion.

ART. XIV. The officers, civil and military, the inhabitants, merchants, and all other persons whatsoever, both Europeans and Indians, and those of any other nation, actually at Pondicherry, and its dependencies, as also all absentees, whose affairs are under the management of Attornies, shall preserve, besides the freedom of their persons, the entire and peaceable right and possession of their effects, moveable and immoveable, their merchandize, goods and vessels; and also the use of their credits and contracts, as well at Pondicherry as at all other factories or manufactories whatsoever: they shall keep or dispose of them to the French or to the English, and invest them in articles for exportation, which they shall have the liberty to send either to the Isle of France, or to neutral ports, within the space of fifteen months from the date hereof, without being subjected to any duties.

The owners of the vessel called The Brisson, may dispatch her to the Isle of France, under permit, with the passengers and merchandize they wish to embark thereon: and the necessary passports for this purpose shall be granted.

Answer. Such of the inhabitants, who chuse to remain in Pondicherry, and who have not been mentioned in the foregoing Articles, will, on taking the oaths to his Britannic Majesty, be allowed to trade under the protection of the British flag. The private property of all persons, now in Pondicherry, will be secured to them; such as chuse to dispose of their property will be permitted to do it, arms and warlike stores excepted.

Granted

Granted with respect to the vessel called the *Briffon*, if she is proved to be private property of the merchants of Pondicherry, but liable to inspection with respect to her cargo before she sails from the road of Pondicherry.

ART. XV. Such French subjects, whose affairs, or the situation of their fortune may require it, shall be at liberty to remain at Pondicherry: they shall in no wise be molested, and shall enjoy the same protection as the free subjects of his Britannic Majesty; and they shall be allowed, at all times, to go whither they please.

Answer. Granted except to the military officers, who must go with their corps; but they may leave powers of Attorney to persons to act for them.

ART. XVI. The military, whose affairs require their presence at Pondicherry, shall be permitted to remain there, upon obtaining permission to that effect from M. de Bellecombe; in which case they shall enjoy the favour expressed in the preceding Article.

Answer. Answered in the foregoing Article.

ART. XVII. The inhabitants and others, whether Europeans or Indians, shall not be troubled or molested, under any pretence, for having borne arms during the siege of this place, as they were compelled thereto, and as it is usual in the Colonies under such circumstances for every one to serve in the militia.

Answer. Granted.

ART. XVIII. The deserters of both nations shall be restored to their respective Crowns with promise of pardon; but no individual shall be claimed as such, for having only rejoined the standard of their nation, under which they shall continue, without being inquired after or molested, under any pretext whatever. With respect to soldiers made prisoners on both sides, during the siege,

they shall be mutually restored, whatever may be the number.

Answer. Granted.

ART. XIX. All Government papers, without exception, shall remain in the possession of Mr. De Bellecombe, and shall be embarked, without being examined or searched, on board the ship that is to carry him to France. The same shall be observed with regard to those of the intendance, which M. Cheureau will carry away with him without being examined or searched, as also those of the Comptroll and Revenue.

Answer. All public papers shall be delivered up to a proper person, appointed to receive and inspect them; and such as are not found necessary for Government will be returned to Major-general Bellecombe and M. Cheureau.

ART. XX. The public records, effects, registers and papers belonging to the Superior Council and Courts dependent thereon, minutes of the deeds of notaries, and all acts and papers in general, which may affect the security of the conditions and fortunes of the citizens, shall be respected and preserved; they shall remain at Pondicherry in the custody of their present possessors, for their customary proper use, until an opportunity may offer for disposing of such valuable effects, 'till future circumstances shall indicate the proper measures to be taken for these important objects.

Answer. Granted.

ART. XXI. The Deposit of papers, which regard the settling of the affairs of the India Company, shall be at the disposal of the Commissaries of that Company, who shall be at liberty to take the precautions and arrangements that they may think necessary for the security of these papers.

Answer. Granted.

ART. XXII. The French European

pean or Indian subjects, who may remain in the French or English places and possessions, shall have nothing to discuss with the Indian Princes; and the English Government shall secure them from all vexations and demands from them, granting them the same protection as to the subjects of his Britannic Majesty.

Answer. Granted.

ART. XXIII. The Seapoys, or other Indians of whatsoever cast or religion they be, who shall have served under the French flag, shall not be troubled or molested in their possessions, or in their persons, on account of their services, and of their attachment towards the French nation. The English Government shall even take them under its protection, in case they shall be persecuted by any Asiatic power.

Answer. Granted.

ART. XXIV. The present Capitulation shall extend as far as the articles of it are capable, to all that relates to Chandernagor, and other French factories at Bengal, at Yanaon and at Karical, which the English have seized, and at the settlement of Masulipatam; as also to the French vessels which have been taken in the Ganges, and on the coast of Comandul, since the first of July last; the sailors of which, and those who were in the place, shall be transported to the Isle of France. The papers and letters addressed to Monf. de Bellecombe, which were taken in those ships, shall be faithfully restored.

Answer. Inadmissible.

ART. XXV. After the signing of the present Capitulation there shall be delivered to an English guard of fifty men the gate of Villenour, at which there shall remain a French guard of the same number. It shall be intrusted to these guards to let no French soldier go out, nor any English soldier enter. The day after the English troops shall be put in possession of all the posts, and shall

place the necessary guards to preserve good order, at the same time the garrison of Pondicherry shall retire into the barracks, which they shall occupy until their embarkation; and on their arrival there the soldiers, by order of their officers, shall deposit their arms in magazines, of which the Staff officers shall keep the keys. The same shall be observed with regard to the Seapoys and other armed Indians. The necessary passports shall be granted.

Answer. Answered by the first article.

ART. XXVI. The full and entire execution of the present Capitulation shall be observed *bona fide*, and shall be secured, not only by the signature of Major-general Munro and that of Commodore Vernon, but also by the Governor and Council of Madras; referring myself for the rest to the decision of the Courts of France and of England, for a reparation proportioned to the violation of treaties, and of the right of nations, which has operated in Asia since the month of July last, by the orders of the Governors and Councils of Calcutta and of Madras, to the very great prejudice of the French nation, and of humanity.

BELLECOMBE.

*Pondicherry, O.S. 17, 1778.*

Answer. This Capitulation will be signed by Sir Edward Vernon and Major-general Munro, and they will be guarantees for the ratification of the Superior Council of Madras.

(Signed) HECTOR MUNRO,  
EDWARD VERNON.

*Camp before Pondicherry, O.S. 17,  
1778.*

*Return of guns, mortars, shot, small arms, and powder, taken in Pondicherry, 1778.*

#### IRON GUNS.

Serviceable. 3 Thirty-six pounders,  
18 twenty-four ditto, 13 eighteen ditto, 30 twelve ditto, 60 eight ditto, 44 six ditto, 11 four ditto, 2 three ditto.

Unserviceable.

Unserviceable. 1 thirty-six pounder, 18 twenty-four ditto, 3 eighteen ditto, 1 twelve ditto, 5 eight ditto, 1 four ditto.

Total serviceable — 181  
 ——— unserviceable — 29

**B R A S S G U N S.**

Serviceable. 6 twelve pounders, 6 eight ditto, 1 six ditto, 18 four ditto, 4 three ditto, 2 two ditto, 18 one ditto.

Unserviceable. 3 one pounders.

Total serviceable — 55  
 ——— unserviceable — 3

Howitzers. 6 three inch and half.

**B R A S S M O R T A R S.**

Serviceable. 7 twelve inch, 5 eight ditto, 2 seven ditto, 4 six ditto, 2 four ditto.

Total ——— 20

**I R O N M O R T A R S.**

Serviceable. 2 twelve inch, 1 eight ditto.

Total ——— 3

**S M A L L A R M S.**

French muskets and bayonets 5934

Ditto without bayonets — 248

Rifle barrel pieces — 168

Wall pieces — — 60

Carbines — — 45

Pistols — — 556

Swords — — 930

Gunpowder, 80 barrels, 100lb. each.

Shot of different sizes, 21,708

(Signed) T. MANNOUNG.

Commissary of stores.

*Return of the killed, and wounded of the Company's troops, at the siege of Pondicherry, 1778.*

European officers. 8 killed, 27 wounded.

Ditto Cavalry, 2 wounded.

Ditto Artillery, 17 killed, 61 wounded.

Ditto Infantry, 48 killed, 114 wounded.

Seapoys, 148 killed, 482 wounded.

His Highness the Nabob's troops, 3 killed, 7 wounded.

Total 224 killed, 693 wounded.

(Signed)

H. A. M. CROSBY, Adj. Gen.

VOL. VII.

The Company's troops consisted of 10,500, of which 1,500 were Europeans.

*Return of the killed and wounded in the garrison of Pondicherry, 1778. (nearly)*

European officers, 7 killed, 19 wounded.

Regiment of Pondicherry, 45 killed, 143 wounded.

European Artillery, 29 killed, 69 wounded.

Seapoys, 52 killed, 94 wounded.

Citizens, 3 killed, 7 wounded.

Black labourers, 64 killed, 148 wounded.

Total, 200 killed, 480 wounded.

The garrison of Pondicherry consisted nearly of 3,000 men, of which 900 were Europeans.

*Admiralty Office, March, 23, 1779.*

Captain George Young arrived this afternoon from the East-Indies, with dispatches from Commodore Sir Edward Vernon to Mr. Stephens, of which the following are copies:

[Duplicate; the original not yet come to hand.]

*Rippon, off Sadras, August 16, 1778.*

Sir,

I send this to the Governor and Council of Fort St. George, to be forwarded by the first opportunity, to desire you will acquaint the Lords Commissioners of the Admiralty, that I sailed from Madras on the 29th past, with his Majesty's ships Rippon, Coventry, Seahorse, and Cormorant sloop, and Valentine and Glatton India ships. On the 31st, finding the Glatton so bad a sailer, and ill equipped, I ordered her back to Madras, and requested of the Governor and Council another ship to replace her. On the 8th instant, at six P. M. I appeared with the Squadron off Pondicherry, chasing a French frigate into the Road. At eight A. M. we descried from our mast-head six sail to the S. W. which we stood for, but there being such light airs of wind, we could make nothing of them till the

N n



the 10th, when at six A. M. we saw five sail bearing down upon us in a regular line a-breast. We stood for them, forming our line a head with the four ships, and at noon brought to so, ready to receive them. At three quarters past noon, the breeze shifting to the seaward, gave us the weather-gage, when I immediately made the signal to bear down upon the enemy, who had formed upon the starboard tacks. I intended forming our line upon the larboard tack, 'till the leading ship had stretched a-breast of their rear, then to have tacked and formed opposite the enemy's ships, but having so little wind, and the uncertainty of a continuance, I thought it necessary to bring them to action, which at three quarters past two became general, and at times extremely close. About three quarters past four the enemy made sail upon a wind to the S. W. Having received great damage in our masts, sails, and rigging, I hauled to the N. E. in hopes of securing the weather-gage, to bring them to action again the next morning. We were employed the whole night and morning in reeving, splicing, and knotting our rigging, getting up a main-top-sail yard and fore-top mast, the others being destroyed. We stood to the N. E. with light airs of wind until midnight, and then tacked to the S. W. but at day-light on the 11th, could see nothing of the enemy. I have since used my utmost endeavours to appear off Pondicherry again, but from little winds, those southerly, with a strong northern current, have been prevented. Their Lordships may be assured I will lose no time in attaining it, and if I can meet the enemy, to bring them to a decisive battle, winds and weather permitting. The ships we engaged were the Brillante of 64 guns, Pourvoyeuse of 36 eighteen-pounders, the Sartine of 32 guns, and two of their country ships armed as ours, whom I am just now informed got into Pondicherry Road the evening of the ac-

tion to refit. The Besborough India ship, who the Governor and Council of Fort St. George had ordered to replace the Glatton, joined me the 14th. Herewith you have a list of the killed and wounded, on board the ships under my command, in the action of the 10th.

I hope my proceedings will meet their Lordships approbation; and am,

Sir,

Your most obedient servant,

E. VERNON.  
killed. wounded,

Rippon	—	4	15
Covenry	—	1	20
Seahorse	—	3	5
Valentine India ship	2	9	
Cormorant sloop	1	4	
	—	—	
	11	53	

E. V.

*Philip Stephens, Esq. Secretary  
of the Admiralty.*

*Madras, October 31, 1778.*

I am to acquaint you for the information of the Right Honourable the Lords Commissioners of the Admiralty, that I wrote to you on the 16th of August last by the Valentine (a duplicate of which I herewith inclose) and that the winds and current prevented me regaining my station until the 20th at midnight, when I anchored between Pondicherry and Cuddalore, about four o'clock in the morning of the 21st; upon sight of a strange sail standing in to the Squadron, I made the signal, weighed, and gave chase; at day-light saw the chase had French colours hoisted, which, on a few shot being fired at her from the Rippon and Seahorse, were struck; she proved to be the L'Aimable, Nannett, from Rochelle and L'Orient, last from the Mauritius, for Pondicherry, in ballast. At the same time I could see the French Squadron under way in Pondicherry Road, standing to the North-east, under an easy sail; but the land breeze failing me before I could get near enough to the enemy to engage, and the sea breeze

breeze not setting in before five o'clock in the afternoon, and then so very faintly, as hardly to keep the ships under command, which, with night drawing on, induced me to drop all thoughts of bringing them to action until the next morning. I then stood in for Pondicherry Road, and came to an anchor, expecting the French squadron would do the same, as they shewed no design of going off; but when day-light appeared could see nothing of them, nor have they ever looked near Pondicherry since that day. On the 25th, at day-break, saw a strange sail very near us, standing in for Pondicherry, upon which I made the Coventry and Seahorse's signal, to weigh and chase her, who immediately stood out to sea, with all the sail she could crowd; and, to prevent losing company with the frigates, I weighed and stood after them; about half past eleven o'clock, A. M. saw the Seahorse engaged with the chace, which soon after struck, and proved to be the Sartine, one of Monf. Tronjolly's squadron, who had lost company a few days before in chace. She is a fine ship, only two years old, and a prime sailer; had, when she was taken, only twenty-six nine-pounders mounted; but as she is of a larger scantline than any of our thirty-two gun frigates, I purpose, if war is declared, ordering the Naval Store-keeper to purchase her for his Majesty's service. From that time I closely blocked up the road of Pondicherry. On the 18th of September our batteries on shore were opened against the works of the town, upon which they continued to play until the 16th instant, in the morning, when (every thing being ready for a general assault that night, having, at General Munro's request, previously landed two hundred and sixty men from the squadron, to assist in the attack) M. Bellecombe thought proper to send out a flag of truce, offering to capitulate, upon which hostilities ceased on both sides; and I have the

pleasure to acquaint their Lordships, that Articles of Capitulation were signed on the 17th, and our troops put in possession of the town accordingly.

During the siege, the ships of the squadron took three other small vessels bound to Pondicherry. I cannot omit mentioning to their Lordships the assiduity with which the Governor General and Council of Bengal fitted out and armed two ships, mounted with forty guns each, who joined me on the 1st instant, and are now acting under my orders; as also the zeal shewn for the public service by the President and Council of Fort St. George, in so readily reinforcing the squadron under my command with three of the Company's European ships armed, which, on the reduction of Pondicherry, I dismissed, that they may proceed on their respective voyages. I have further the pleasure to acquaint their Lordships, that the greatest harmony and good understanding has subsisted between the army and navy during the whole of this campaign.

I have appointed Captain Marlow, of the Coventry, to be Captain of the Rippon, in the room of Capt. Young, whom I thought a proper person to take charge of my dispatches for their Lordships, and his Majesty's Secretary of State.

I beg leave to recommend Captain Young to their Lordships notice, and to refer them to him for any further particulars they wish to be informed of respecting the operations of this last campaign in India.

I am Sir,

Your most obedient humble Servant,  
E. VERNON.

*Philip Stephens, Esq. Secretary  
of the Admiralty.*

*Admiralty-Office, March 16, 1779.  
Extract of a letter from Commodore  
EVANS to Mr. STEPHENS, dated  
at Spithead, March 15, 1779.*

His Majesty's cutter the Rattlesnake, of 10 carriage and 12 swivel  
guns,

guns, with a complement of 60 men, commanded by Lieutenant Knell, returned from a cruize to Spithead this morning, having had a very severe action with two French privateer cutters, one of which she has brought into Spithead with her.

Lieutenant Knell informs me, that yesterday morning, at day-break, he saw two French cutters about two leagues to leeward of him, standing in for Fresh Water Bay, with the wind at W. S. W. he immediately wore and made sail after them; the enemy, observing his approach, made all the sail they could, and stood to sea, steering S. S. E.

The Rattlesnake gave chase, and at half past one o'clock, P. M. (being then about four leagues from Havre-de-Grace) came up and engaged the largest cutter, of 14 carriage guns, 12 swivels, and 92 men; the other cutter, called the Frelon de Dunkerque, mounting 12 carriage guns, 10 swivels, and 12 men, which failed remarkably well, and is deemed one of the fastest sailing cutters out of France, came up to her assistance, and jointly engaged the Rattlesnake till four o'clock, when the largest struck; the other sheered off, and attempted to escape; but Lieutenant Knell perceiving her intention, bore down, fired three broadsides, and then boarded her, fearing she might get away by out-failing the Rattlesnake, and by that means carried her.

The Rattlesnake's people were immediately employed in splicing and resetting the rigging, which was much damaged by the enemy's shot; whilst in this situation, the French cutter, which at first struck, crowded all her sail, and the Rattlesnake not being in a condition to follow her, she effected her escape.

I have the pleasure to acquaint their Lordships, that none of the Rattlesnake's crew were killed; Lieutenant Knell (whose spirited conduct deserves much commendation) was

wounded, together with one midshipman, and ten men.

The commander of the Frelon de Dunkerque, and twelve of her people, were killed, and thirty wounded, most of which were mortal.

It is imagined the other cutter suffered greatly by her being longer engaged, and striking to the Rattlesnake.

*Whitehall, March 24, 1779.*

*Copy of a duplicate of a letter from Major-general GRANT Commander in Chief of his Majesty's forces in the Leeward Islands, to Lord GEORGE GERMAIN, dated St. Lucie, Morne Fortune, December 31, 1778.*

My Lord,

The troops destined for the West-Indies were put under my orders the 24th of October. The embarkation having been completed, I received Sir Henry Clinton's instructions the 29th, and we sailed from Sandy-Hook the 3d of November, in a gale of wind that continued several days; notwithstanding which Commodore Hotham, by his care and attention, contrived to keep the fleet together, and brought us safe to Barbadoes the 10th of December, without the loss of a transport.

The Count d'Estaing by chance, certainly not from information, sailed from Boston the very day we left the Hook. His fleet was dispersed in the gale of wind, which our transports weathered. He was, however, in the course of the voyage, so near us with a part of his squadron, that a brigantine, with four horses, which we lost the 27th of November in the night, fell into d'Estaing's hands the next day.

Having fixed the plan of debarkation with Admiral Barrington, the fleet sailed from Barbadoes the 12th of December.

The reserve, which consists of the 5th regiment, the grenadiers, and light infantry of the army, was landed at the Grand Cul de Sac, upon

upon the island of St. Lucie, the 13th in the evening, with which Brigadier-general Meadows forced the heights upon the north-side of the bay, which were occupied by the Chevalier De Micoud, with the French troops under his command, and the militia of the island. He took a field piece which fired upon the boats that carried the troops a-shore, and a four-gun battery which annoyed the shipping at the entrance of the harbour.

Brigadier-general Prescott, having been landed with five regiments, guarded the environs of the bay, and, by his advanced posts, kept a communication with the reserve, which marched the 14th in the morning at day-break, and, supported by General Prescott, took possession of Morne Fortune, the Governor's house, the hospital, the barracks, with all the stores and magazines belonging to the island, Monsieur De Micoud being obliged to retire from post to post, having made in fact the best defence he could. General Prescott was then sent to take possession of all the batteries, to put them in a state of defence, to appoint artillery officers and men to command them, and to fix posts for their support.

General Meadows, after a short halt, was directed to continue his march, and to occupy the important post of the Virgie, which commands the north-side of the Carenage Harbour.

Brigadier-general Sir Henry Calder, with four battalions, guarded the landing-place, kept up the communication with the fleet, and occupied several posts upon the mountains, which look down upon and command the south-side of the Grand Cul de Sac, from whence it afterwards appeared, that the French intended to bombard our ships, if they had not been prevented by our prior possession of ground, from which we could not be forced.

The last white flag was not struck an hour before the French fleet and army were discovered from the *Gouvernement* just become my quarters.

The 15th in the morning, the French fleet stood in for the Carenage, believing that we had not got possession of that part of the island; but the Languedoc being fired upon and struck by one of their own batteries, M. D'Estaing favoured us with a broadside, and then bore away with his fleets and transports. They in appearance were much disconcerted, and at a loss how to act; but at last, after much hesitation, they bore down with twelve sail of the line upon our little fleet, which covered the transports with our provisions in the Grand Cul de Sac. He made two attacks upon Admiral Barrington, one in the morning, and the other after dinner, both without effect.

The 10th, D'Estaing landed about 9000 men, which had been collected from the French islands, with an intention to take possession of Barbadoes, Grenada and St. Vincent. In short, according to our information from French reports, every British settlement in the West-Indies.

The 17th, in the morning, I withdrew two advanced piquets from posts which I never intended to defend, and from whence a shot was not fired. That move, I imagined, encouraged the enemy to attack General Meadows corps, which was well posted in very strong ground upon the Virgie.

The French were formed in three columns, consisting of four or five thousand men, commanded by M. D'Estaing, the Marquis De Bouillie and Lovendahl. Their two first attacks were made with the impetuosity of Frenchmen, and they were repulsed by the determined bravery of Britons. They made a third attempt, but were soon broke, and retreated in confusion, leaving their  
killed

killed and wounded in our power. They were permitted to bury the dead, and carry off the wounded. M. D'Estaing is by agreement to account for them as prisoners of war.

The disposition made by General Meadows, for the defence of his post, was masterly. He was wounded in the arm early in the day, but remained in the field, rode about, and gave orders every where, till the attack was over. He has never quitted his post, and continues to command the reserve, which the surgeons did not think he would have been equal to. Major Harris, who commands the grenadiers, and Major Sir James Murray, who commands the light infantry, distinguished themselves. The officers and men were cool and determined; they even surpassed, if possible, their usual spirit and bravery. The French artillery that had been taken were of great use. We found in the magazines, at the different batteries, a hundred rounds for each gun. Three twelve pounders, which were placed upon the Virgie, did amazing execution; and the batteries upon the south-side of the bay, which were well served by the artillery, flanked the enemy's columns, annoyed them exceedingly, and obliged a French man of war, which endeavoured to assist in the attack from the entrance of the harbour, to slip her cable.

The enemy had four hundred men killed upon the spot, five hundred dangerously wounded, so as to render them unfit for service, and six hundred slightly wounded. This is their own account. We had only ten men killed, and one hundred and thirty wounded; some of them have already joined their corps, and our loss upon the whole will be under fifty.

This is the most difficult country war was ever made in. 'Tis impossible to describe in a letter the complicated situation of our posts,

but the inclosed sketch will give his Majesty a very clear idea of the position taken by the fleets and armies. Monsieur D'Estaing, without seeming to have formed any plan for recovering the island, remained with his fleet and army till the 28th. He embarked his troops that night, and went off the 29th in the morning.

The moment he was gone, Monsieur De Micoud and the inhabitants offered to capitulate. The Capitulation was signed the 30th, by which your Lordship will see that they obtained favourable terms, though they were at our mercy, and without hopes of assistance. 'Tis to be hoped it will have a good effect.

The fleet and army act with the greatest unanimity. 'Tis a pleasure to serve with Admiral Barrington, Commodore Hotham, and the gentlemen of the navy in general. The Commodore took a fatherly care of us from New-York, and brought us safe to Barbadoes, without the loss of a transport.

Captain Hamerton, my Aid-de-Camp, who goes in the Weazel, will have the honour to deliver my dispatches to your Lordship, and can inform you of circumstances which I have omitted, or that have not occurred to me.

I have the honour to be, &c.

JAMES GRANT.

*Translation of the Articles of Capitulation between Major-general GRANT and the Hon. Rear Admiral BARRINGTON, Commanders in Chief of his Britannic Majesty's land and sea forces, upon a joint expedition, and the Chevalier DE MICOUD, Colonel of foot, and Lieutenant-governor of his Most Christian Majesty of the island of St. Lucie.*

ART. I. The Commandant and his garrison shall march out of their posts, with the honours of war, their arms and baggage, and shall be conveyed

veyed to Martinique in a vessel fitted out for that purpose.

Answer. The Commandant and his garrison shall be permitted to march out with the honours of war, and to keep their baggage, but must deliver up their arms; and shall be sent as prisoners of war to Martinique, not to serve till they are exchanged.

ART. II. The inhabitants who have taken their arms shall march out of their posts, and shall return from thence to their habitations, without suffering any molestation or impediment.

Answer. The inhabitants shall return to their habitations; in the possession of which they will be protected, after having delivered up their arms, and having taken the oath of allegiance to his Britannic Majesty.

ART. III. The inhabitants and Curates shall be protected in their possessions, effects moveable and immoveable, privileges, rights, honours, and exemptions. The free people shall preserve their liberties.

Answer. The inhabitants and Curates will be protected as British subjects. Free negroes shall not be molested.

ART. IV. The Commandant, as an inhabitant, shall have liberty to remain some time upon the island to settle his affairs, without being molested; and, at the expiration of the time agreed upon, he shall be provided with a good vessel, to convey himself and his domestics and effects to Martinique; and he demands liberty to continue his service, as was granted to Mr. Stuart, Commandant of Dominique.

Answer. The Commandant, as an inhabitant of St. Lucie, may remain upon the island to settle his affairs, and shall, upon his requisition, be permitted to go with his family and baggage to Martinique, upon his parole, but is to remain a

prisoner of war, and not to serve till exchanged.

ART. V. The inhabitants of the island shall be protected in their religion, government, laws, customs, and ordinances; justice shall be administered by the same persons now in office; what concerns the police shall be regulated, until a peace between the Government of his Britannic Majesty and the inhabitants.

Answer. The inhabitants of the island shall be protected in the exercise of that religion, and be governed by the established laws of the Colony. The Judges will be continued during good behaviour. The police of the island will be regulated by the officer commanding in chief for the time being.

ART. VI. The emigrants from the English islands shall be included in the Capitulation, without being molested for any matters they now are or may have been concerned in, in the English islands, until a peace.

Answer. The British emigrants shall be included in the Capitulation, but must remain accountable to their creditors for debts contracted in Great Britain, or the British Colonies.

ART. VII. The sick and wounded, who are not able to embark immediately, shall be conveyed to the hospitals of the colony, and treated as English subjects until their recovery; after which they shall be sent back to Martinique at the charges of his Britannic Majesty.

Answer. Granted.

ART. VIII. The inhabitants shall pay no taxes to his Britannick Majesty, as they pay none to his Most Christian Majesty; the salaries of the Officers of Justice, and the Curates shall be the same, and be paid by his Britannic Majesty, as in the French time.

Answer. The inhabitants shall pay the same taxes to his Britannic Majesty which were paid to his Most Christian

**Christian Majesty.** The salaries of the Officers of Justice, and of the Curates, shall be paid by the inhabitants of the island.

**ART. XI.** The absent inhabitants, and those in the service of his Most Christian Majesty, shall be protected in their possessions, and the enjoyment of their effects and habitations, managed by virtue of Letters of Attorney.

**Answer.** Granted.

**ART. X.** The ships and coasting vessels belonging to the inhabitants and merchants of the island, shall remain to them in nature and property.

**Answer.** Granted.

**ART. XI.** The absent inhabitants, widows, sick, or infirm, shall have entire liberty to sign the Capitulation, and those who are not willing to sign it, shall have equally a permission to go out of the island, and they shall be allowed a vessel at that time with provisions, to convey them to Martinique, at the charges of his Britannic Majesty, or to Europe.

**Answer.** Shall be permitted to go to Martinique.

**ART. XII.** The inhabitants and merchants of the island, comprized in the present Capitulation, shall enjoy the same privileges as do the subjects of his Britannic Majesty who are the best treated.

**Answer.** To be considered as subjects of Great Britain.

**ART. XIII.** The inhabitants shall observe an exact neutrality, and shall not be forced to take arms against France; and may keep them for the interior police.

**Answer.** Shall not be obliged to carry arms against the troops of his Most Christian Majesty.

**ART. XIII.** No others but the present proprietors of lands and houses shall be permitted to possess them, and the possessors by provisionary or definitive concession, or by a commencement of power to possess them, shall be protected without molestation in their

possessions; and if on the peace the islands shall remain to his Britannic Majesty, the inhabitants and proprietors shall have a reasonable time allowed them to sell their effects. Every inhabitant or merchant shall be at liberty to send their children to France, and make them remittances.

**Answer.** Shall remain in quiet possession of their habitations. Regulations at the peace must depend upon treaties.

**ART. XV.** Appeals shall be brought as formerly to the Sovereign Council of Martinique.

**Answer.** To the Commander in Chief of St. Lucie.

**ART. XVI.** Whereas the island is laid waste by the destruction of the cattle, the ravages of war, and excessive services by taking the cattle of the Colony, the inhabitants and merchants request to have granted to them a suspension of payment of their debts already contracted, until the peace, and those who have been entirely plundered shall be permitted to claim from the Government such particular indulgences as are necessary in their situations.

**Answer.** As the cattle have been killed by the French troops, and not by the British, they cannot expect redress from their new Sovereign. Suspension from the payment of debts due, the French subjects till the peace allowed; but with regard to the inhabitants of the island, the power of giving time to people in distressed circumstances is reserved to the Commander in Chief in the island.

**ART. XVII.** The Curate of every parish shall be protected, and when the Curacies become vacant, the inhabitants of the parishes shall be provided with Curates, on requiring them from the superiors of the missions of Martinique.

**Answer.** The Curates shall remain in their parishes during good behaviour; when vacancies happen,  
Curates

Curates will be named by the Commander in Chief.

ART. XVIII. There shall be an account drawn up by the keeper of the magazine of artillery, of every piece of artillery, as well battering as field pieces, and other warlike stores; and with regard to provisions, magazines, and in general every thing belonging to his Most Christian Majesty, the Commissary shall cause an account to be made of them by the keeper of the magazine; and as an inhabitant Monsieur Raulin de la Mothe, Commissary of the marine and of the classes, desires to have time allowed him, in like manner as the Chevalier Micoud, to settle his affairs.

Answer. All stores of ammunition and provisions, and every thing which is considered as the property of his Most Christian Majesty, together with all deserters and prisoners belonging to the British army, are to be delivered up, upon honour, to the British Commissaries. The request of M. Raulin de la Mothe is granted.

Concluded and agreed upon by me, Colonel of foot, and Lieutenant-governor for the King of the Island of St. Lucie, this 30th day of December, 1778, who have put the seal of my arms to these presents, which are countersigned by my Secretary.

(Signed) LE CHEVALIER MICOUD.

By the Lieutenant-governor,

(Signed) A. REGNAULT.

Granted and agreed to at St. Lucie, this 30th day of December, 1778.

(Signed) JAMES GRANT.

(Signed) SAMUEL BARRINGTON.

*Return of French ordnance, ammunition, and stores taken possession of at St. Lucie, the 13th of December, 1778.*

Four twenty-four pounders, 287 round shot, 120 cartridges. 2 twenty-one pounders, 80 round shot, 114 cartridges. 7 eighteen pounders, 702 round shot, 505 cartridges. 1 four-

teen pounder. 60 round shot, 40 cartridges. 15 twelve pounders, 1335 round shot, 300 langredge shot, 818 cartridges. 2 eleven pounders, 80 round shot, 80 cartridges.

*Iron ordnance with carriages.*

Garrison. 2 ten pounders, 80 round shot, 80 cartridges. 7 eight pounders, 346 round shot, 442 cartridges. 1 seven pounder, 100 round shot, 100 cartridges. 5 five pounders 286 round shot, 200 cartridges. 5 four pounders, 1324 round shot. 107 langredge shot, 250 cartridges. 3 three pounders, 20 round shot. 33 round shot for two pounders.

Travelling. 5 one pounders, 1033 round shot, 150 cartridges.

T O T A L.

Guns	—	—	59
Round shot	—	—	5766
Langredge ditto	—	—	407
Cartridges	—	—	2899
Powder corned, whole barrels	—	—	200
Musquets	—	—	333
Musquet cartridges filled with ball	—	—	18100
Musquet ball, 2 cwt. 2 qrs.	—	—	

WM. WOOD, Commissary of Artillery.

JOHN WILLIAM, Captain commanding the Artillery.

*Return of the killed, wounded and missing of the British reserve, under the command of Brigadier-general Meadows, in the action of the 18th of December, 1778.*

Light Infantry. 1 Serjeant, 6 rank and file, killed. 1 Captain, 1 Serjeant, 46 rank and file, wounded. 1 Captain, 1 subaltern, 5 rank and file, missing.

Grenadiers. 3 rank and file, killed. 1 Captain, 4 subalterns, 2 serjeants, 2 drummers, 72 rank and file, wounded.

5th regiment. 1 serjeant, 1 rank and file, killed. 1 subaltern, 2 serjeants, 15 rank and file, wounded.

Artillery. 1 rank and file, killed. 2 rank and file, wounded. 1 rank and file, missing.

O O

Addi-



Additional. 1 rank and file, wounded.

T O T A L.

2 serjeants, 11 rank and file, killed, 2 Captains, 5 subalterns, 5 serjeants, 2 drummers. 136 rank and file, wounded. 1 Captain, 1 subaltern, 6 rank and file, missing.

*Rank and names of Officers killed, wounded and missing.*

28th Company. Capt. Daily, light infantry, Captain Hay, grenadiers, wounded.

35th ditto. Lieutenant Williams, grenadiers, wounded.

40th ditto. Lieutenant Forbes, grenadiers, wounded.

46th ditto. Lieutenant Gomme, grenadiers, wounded.

5th regiment. Lieutenant Harris, wounded.

55th ditto. Captain Downing, Lieutenant Warren, light infantry, missing.

(Signed)

JAMES GRANT,  
Commander in Chief.

*Admiralty-Office, March 24, 1779.*  
*Copy of a letter from the Honourable*  
*Rear-Admiral BARRINGTON to*  
*Mr. STEPHENS.*

[*Quadruplicats.*]

*Prince of Wales in the Grand Cul de*  
*Sac, in the Island of St. Lucie,*  
*December 23, 1778, at night.*

Sir,

In my letter of the 24th of last month, from Barbadoes (No. 11.) I informed you of the Venus's arrival there with an account of Commodore Hotham's being on his way to join me: and you will now please to acquaint my Lords Commissioners of the Admiralty, that the Commodore arrived there the 10th instant, with his Majesty's ships the Nonsuch, St. Alban, Preston, Centurion, Isis, and Carcass, and fifty-nine transports, having on board 5000 troops, under the command of Major-general Grant.

To save time, and prevent the

\* Isis, St. Albans, Boyne, Nonsuch, Centurion, and Prince of Wales.

confusion naturally arising from a change of signals among the transports, I adopted those of the Commodore; and, directing him to lead with the landing division, put to sea the 12th in the morning, in order to carry into execution their Lordships secret instructions; and about three o'clock on the day following, anchored here with the whole Squadron, except the Ariadne, Ceres, Snake, Barbadoes, and Pelican, which I had stationed along the coast, to intercept any vessels attempting to escape from the island.

More than half the troops were landed the same morning, under the direction of the Commodore, assisted by the Captains Griffith, Braithwaite, and Onslow, and the remainder the next morning (the 14th) when they immediately got possession of the Carenage; and it was my intention to have removed the transports thither as soon as possible, had not that measure been prevented by the appearance of the French fleet under Count D'Estaing, of which I received notice in the evening by signal from the Ariadne.

It therefore became necessary to secure the transports as well as we could in the bay, and the whole night was accordingly employed in warping within the ships of war, and disposing of the latter in a line across the entrance, in the order they stand in the margin, \* the Isis to windward, rather inclining into the bay, and the Prince of Wales, being the most powerful ship, the outermost and to leeward, and the Venus, Aurora, and Ariadne, flanking the space between the Isis and the shore, to prevent the enemy's forcing a passage that way.

Almost all the transports had fortunately got within the line before half past eleven in the morning of the 15th, when the Count thought proper to bear down and attack us with ten sail of the line, happily

without

without doing us any material injury; and at four in the afternoon he made a second attack upon us with twelve sail of the line, with no other success however than killing two men, and wounding seven, on board the Prince of Wales, and also wounding one on board the Ariadne, who is since dead. But I have reason to believe the enemy received a considerable damage, as their manœuvres betrayed great confusion, and one of their ships in particular, which fell to leeward, seemed disabled from carrying the necessary sail to get to windward again.

The next day (the 16th) the Count shewed a disposition to attack us a third time, but on the appearance of a frigate standing for his fleet, with several signals flying, he plied to windward, and in the evening anchored off Gres Islet, about two leagues from us, where he still continues with ten frigates, besides his twelve sail of the line; and notwithstanding this superiority of force, he has been accompanied from his first appearance by several American privateers, one of them commanded by the outlaw Cunningham, who last winter infested the coast of Portugal.

That night and the following day the enemy landed a large body of troops from a number of sloops and schooners which had anchored in Du Choc Bay, and the 18th made a spirited attack, both by land and sea, on our post at the Carenage, but met with a very severe check, having been repulsed, with great carnage, by a small detachment of our troops under Brigadier-general Meadows.

They have attempted nothing of consequence since, and what may be their future plan of operations I cannot conjecture; but their continuance at anchor has offered us an opportunity not only of getting in all the cruisers, except the Ceres, and all the transports, except one, (with only the baggage of the officers of

three companies on board) which has fallen into the enemy's hands, but also of strengthening ourselves by warping the ships of war farther into the Bay, and making the line more compact, removing the Venus a-stern of the Prince of Wales to flank that passage, and erecting batteries at each point of the Bay, that to the northward under the direction of the Captains Cumming and Robertson, and that to the southward under Captain Ferguson.

This being the situation of the squadron, and the army being in possession of all the strong holds in the neighbourhood of the Bay, such a spirit of chearfulness, unanimity and resolution, actuates the whole of our little force, both by land and sea (notwithstanding the amazing fatigue they have undergone) that we are under no apprehensions from any attempts the enemy may meditate; and from the accounts which have been transmitted to me from Captain Linzee of the Pearl, who arrived at Barbadoes the 13th instant, that Vice-admiral Byron was to sail from Rhode Island for Barbadoes the 10th of last month, with sixteen sail of the line, and several frigates, there is every reason to hope he will soon be here; in which case, affairs in this country must take a very decisive turn in favour of his Majesty's arms.

Should any unforeseen accident, however, prevent the Vice-admiral's arrival, their Lordships will nevertheless be pleased to assure his Majesty, that every thing which can possibly be done by so small a body of troops, and so few ships against a force so superior, will be effected.

I cannot conclude my letter without acquainting you, that, in all probability, our operations here have hitherto saved the islands of St. Vincent and Grenada, which, we understand from some officers who are prisoners, were the object of Count D'Estaing's expedition, when a sloop

that had escaped from this island falling in with him, and giving him notice of our being here, directed his attention towards us,

I am, &c.

SAM. BARRINGTON.

P. S. I have the satisfaction to add, that this morning the squadron got possession of an American privateer of 18 guns, called the Bunker-hill, which at day-break was discovered within reach of our guns; and having struck, upon finding she could not escape, the boats towed her within the line, before any of the French fleet could get to her assistance. She sailed from Salem the 2d instant, and was intended to cruize fifteen leagues to windward of Barbadoes, but had missed that island, and fallen to leeward,

SAM. BARRINGTON.

24th Dec, 1778.

*Extract of a letter from the Hon. Rear Admiral BARRINGTON to Mr STEPHENS.*

[*Triplicate.*]

*Prince of Wales, in the Grand Cul de Sac, in the Island of St. Lucie, January 6, 1779.*

You will herewith receive the duplicate of a letter I wrote to you the 23d and 24th of last month, (No. 23) and dispatched to Governor Hay of Barbadoes, to be forwarded from thence to England by some fast-sailing vessel, that my Lords Commissioners of the Admiralty might have it in their power to refute any misrepresentation, which Count D'Estaing may have transmitted to his Court, of the situation of his Majesty's forces in these seas.

From the state of inactivity in which the Count continued for several days after, I began to conceive it was his intention to form a blockade, with a view of starving us into a surrender; but to my utter astonishment, on the morning of the 29th (having re-embarked his troops during the preceding night) he retired with his

whole force towards Martinique, and left us in quiet possession of the island, which capitulated, whilst his fleet was still in sight, upon the terms I have the honour to inclose. [Printed before with Major-general Grant's letter to Lord George Germain.]

I should be very much wanting, were I on the present occasion to omit acknowledging the assistance I received from Major-general Grant and the forces under his command, as well as expressing my entire satisfaction with the conduct, not only of Commodore Hotham, the several commanders, and the rest of the officers of the squadron, but also of the people in general, who never in the least repined at their precarious situation, and the difficulties they hourly encountered, but still performed their duty with alacrity and spirit, and, sensible of the additional fatigue the troops underwent in occupying more extensive posts for the security of the squadron, than there would otherwise have been occasion for, laboured with the utmost cheerfulness in conveying provisions, &c. for them through roads that were almost impassable.

I likewise beg leave to mention to their Lordships the very great assistance I received from Captain Barker, the agent of transports, and the services of Lieutenant-governor Stuart, of the island of Dominica, who has done me the favour of officiating as an honorary Aid-du-Camp between the General and myself, having accompanied me upon this expedition, in hopes that his Majesty's arms might afterwards be employed in recovering that island; where, from his perfect knowledge of it, he must be particularly useful, and therefore offered himself as a volunteer.

What has become of the enemy's fleet since its departure from hence, I have not had it in my power to learn; but I hope Vice-admiral Byron, who I have the pleasure to ac-  
quaint

quaint you, arrived here this morning, with nine sail of the line, will very soon be able to give their Lordships that information. And that Rear-admiral Sir Peter Parker and the Governor of Jamaica may be upon their guard, in case of its appearance in those seas, I have sent the Ariadne to Antigua, with letters to be forwarded to them from thence by some fast sailing vessel, which I have requested Governor Burt to dispatch for that purpose.

I have great satisfaction in hearing since the Capitulation, that, when Count D'Estaing was directed hither by the sloop I mentioned in my letter, (No. 23) he was bound first of all to Barbadoes, in expectation of finding there only the Prince of Wales, the Boyne, and some frigates; of which he had received intelligence from a French flag of truce, I had ordered away immediately on the arrival of the Venus.

I am sorry to add, that the Ceres, which was missing when I sent away that letter, appears, by the Martinique Gazette, to have been taken, after a chase of forty-eight hours, by the Iphigenie, a French frigate of 36 guns, but I have no account of it from Captain Dacres, or any of her officers.

I cannot help regretting the loss of this sloop, not only as she sailed remarkably well, but as Captain Dacres is an officer of infinite merit. I have, however, to replace the Ceres, as the Bunker-hill privateer has the reputation of being a fast sailer, (which her log-book confirms), commissioned her as a sloop in his Majesty's service, by the name of the Surprize (being expressive of the manner in which she came into our possession) and appointed Lieutenant James Brine, First Lieutenant of the Prince of Wales, to be Master and Commander of her, with a complement of one hundred and twenty-five men. She mounts eighteen carriage and eight swivel guns,

For further particulars I beg leave to refer their Lordships to Captain Robertson of the Weazel, who will have the honour of delivering these dispatches, and whose conduct as an officer merits their Lordships protection, and every favour they can possibly shew him. I am, &c.

SAM. BARRINGTON.

*Extract of a letter from the Hon. Rear Admiral BARRINGTON to Mr. STEPHENS.*

(Triplicate.)

*Prince of Wales, in the Grand Cul de Sac, in the island of St. Lucia, January 17, 1779.*

Sir,

I have received advice of the Maidstone being in Antigua, partly disabled in action with the Lyon, a French ship of 40 guns and 216 men, (from Virginia, bound to L'Orient, with upwards of 1300 hogheads of tobacco) which she took and carried in with her; as their Lordships will see more particularly by the inclosed letter from her Commander.

The Boreas, in returning from Bequia the 3d of last month, fell in with a French sloop called Le Mimi, of 350 tons and 12 guns, from Rochfort, with 280 troops on board for Martinique, and a cargo of provisions and dry goods, which she took and sent to St. Vincents.

I am Sir,

SAM. BARRINGTON.

*Extract of a letter from Captain GARDNER to the Honourable Admiral BARRINGTON.*

*Maidstone, off Antigua, Dec. 21, 1778.*

Sir,

I have the honour to acquaint you of my arrival off English harbour, with his Majesty's ship Maidstone, under my command; and I have the pleasure to inform you, that on the 3d of November following, about one o'clock in the morning, being in the lat. 35: 40 N. long. 71. 50 W. 64 leagues E. S. E. from Cape Henry,

ry, we discovered a ship in the N. W. quarter, standing to the eastward, with the wind at west. I immediately gave chase, and prepared the ship for action; at half past three got up close along-side the chase, who hoisted French colours, and we began to engage. At half past four o'clock, having sustained considerable damage in our sails and rigging, I judged it necessary to bring-to, to repair the latter, and furled the main-sail, which was cut to pieces by the langredge of the enemy. At day-break we discovered another ship to windward, bearing down upon us, which I supposed to be a consort of the ship we had engaged with in the night, who at this time was about two miles to leeward of me under her top-sails. At nine the ship to windward brought to, and made a private signal; but finding we did not answer it, at ten she made sail, and stood by the wind to the southward; upon which I wore, and made sail after my antagonist, who had put before the wind under his top-sails and fore-sail, and at noon brought him to action again, and continued the engagement till near one o'clock, when the enemy struck, and proved to be the Lyon, a French ship of 40 guns, viz. twenty-eight twelve pounders on her main-deck, six six pounders on her quarter-deck, and six four pounders on her fore-castle, manned with 216 men, and commanded by Captain Jean Mitchell, from Virginia, bound to L'Orient, having on board upwards of 1300 hogheads of tobacco.

During the action we had four men killed and nine wounded, one of which is since dead. The enemy had eight men killed, and 18 wounded. We received considerable damage in our masts, yards, sails, and rigging, and when the enemy struck, we had above four feet water in our hold. It is with great pleasure I acquaint you, that my officers and ship's company behaved themselves in this action in

a very gallant manner, having done their duty with great spirit, and very much to their honour.

I am, &c.

A. GARDNER.

*Extract of a letter from the Hon. Rear Admiral BARRINGTON to Mr. STEPHENS.*

*Prince of Wales, in Gros Islet Bay, St. Lucie, Feb. 4, 1779.*

Sir,

It gives me infinite concern to acquaint you, that I yesterday received a letter from Captain Robertson, of his Majesty's sloop the Weazel, (whom I had dispatched for England with an account of the island of St. Lucie being in his Majesty's possession) informing me of that sloop's being taken the 13th inst. by a French frigate, called the Boudese, of 36 guns, and carried into Guadaloupe.

I am, however, not without hopes that the duplicates of my dispatches by Captain Robertson, which I transmitted to Governor Burt to be forwarded from St. Christopher's, may be fortunate enough to arrive safe; but, for fear of miscarriage, I have taken the opportunity of transmitting triplicates by Captain Fielding, who is going home with Vice Admiral Byron's dispatches.

I am, &c.

SAM. BARRINGTON.

*Extract of a letter from the Hon. Vice Admiral BYRON to Mr. STEPHENS, Princess Royal, off St. Lucie, the 7th and 9th of January, 1779.*

[Duplicate.]

Sir,

In my letter of the 30th of November from Rhode Island, I acquainted you for the information of their Lordships, that the ships I intended to proceed with in quest of the French squadron, had been put in the best condition which circumstances would admit of, and were then ready to sail. Several attempts were made to get out of the harbour, but the prevailing winds were

unfa-

unfavourable, and at times it blew with such violence that most of the ships parted their cables and lost anchors, and some of them narrowly escaped being wrecked. These accidents prevented the squadron from sailing until the 14th of December, when I put to sea with the ships named in the margin \*, and anchored here yesterday morning with all of them except the Fame and Diamond, the former of which was dismasted the 18th in a hard gale of wind at South, attended with an uncommon high and confused sea, in which all the ships rolled and pitched exceedingly, and sustained considerable damage, particularly the Trident, whose main-mast is sprung so dangerously in four places, that it will only bear a jury top-mast. The Diamond was seen with the Fame after she lost her masts, and not being arrived, I presume Captain Colby is following me, and has kept the frigate with him.

I refer their Lordships to Rear Admiral Barrington for an account of the French squadron's proceedings at this place, from whence it seems Mons. D'Estaing withdrew his troops and ships the 29th of last month. I have dispatched some frigates and small vessels to Martinico to reconnoitre Fort Royal, and bring intelligence whether his squadron is in that harbour; in the mean time we are using every possible exertion to get our ships supplied with wood and water, and their masts and rigging put in some condition for service.

9th January. The frigates and small vessels that were sent to reconnoitre, returned last evening with accounts of Mons. D'Estaing being at Fort Royal with his whole force. He has at least ten large frigates at Martinico, several of which are sheathed with copper, and sail re-

markably well, which has induced me to send orders for the Carisfort, Maidstone and Ariel, belonging to the American squadron, to join me from Antigua, where they are refitting.

The Diamond anchored here last night, having parted company with the Fame in a gale of wind the 25th of last month, about 50 leagues N. E. of Bermudas; she had then got jury masts nearly fitted, and was making the best of her way to Barbadoes.

I am, &c.

J. BYRON.

*Extract of a letter from the Honourable Vice-Admiral BYRON to Mr. STEPHENS, Princess Royal in Gros Islet Bay, St. Lucie, 4th February, 1779.*

Sir,

I wrote to you the 7th of last month by the Weazel sloop, sent from hence with accounts of the proceedings of the army and squadron, and of the reduction of St. Lucie, but that vessel had the misfortune to be taken on the 13th, off St. Eustatia, by the French frigate the Boudense, after a chase of nine hours, and carried into Guadaloupe, of which I only got advice yesterday; and as it may be of importance to his Majesty's service for Administration to be informed of the state of affairs in these parts, the Pearl will proceed immediately with duplicates of the dispatches that were on board the Weazel.

Mons. D'Estaing, with his squadron, still remains in Fort Royal harbour. He came out the 12th of January with sixteen sail, and stretched over toward St. Lucie; at day-light next morning I got under way from the Cul de Sac, with thirteen sail of the line and three frigates, and stood for the French squadron under a press of sail, in a line of battle a-head, but

\* Princess Royal, Royal Oak, Conqueror, Fame, Grafton, Cornwall, Sultan, Albion, Monmouth, Trident, Diamond, and Star sloop.

Monf.

Monf. D'Estaing no ſooner diſcovered our force than he tacked, and made the beſt of his way to regain the harbour, which he accompliſhed before it was poſſible to bring any of his ſhips to action. His precipitate retreat makes it difficult to account for his conduct in coming out with ſo conſiderable a force, unleſs we could ſuppoſe him unacquainted with my having joined Rear-Admiral Barrington, and that he intended another attack upon this iſland; the only thing againſt ſuch a belief is, the great reaſon we have to think him well informed of what paſſes at St. Lucie. Finding it in vain to expect the French ſquadron would give us battle, and their ſecure ſituation in Fort Royal harbour not admitting of their being compelled to it, I did not chuſe to run the hazard of being drove to leeward by the current, which would have happened had it fell little wind, therefore after having ſtood cloſe in with Fort Royal, I took the advantage of the freſh breeze which then prevailed, and that evening brought the ſquadron to an anchor in this bay, which being between three and four leagues windward of the Grand Cul de Sac, enables us with more convenience to watch the motions of the French, and gives a better chance of cutting off the re-inforcement they expect under Monf. Treville, ſhould it come round the South-end of Martinique.

The Pomona frigate arrived here the 2d inſtant, and at Barbadoes the 29th of laſt month, having made the paſſage to that iſland in twenty-fix days from Spithead. Captain Weldegrave fell in with and took an American privateer of 20 guns, called the Cumberland, about ten leagues to windward of Barbadoes, after a chace of ſeveral hours. She had been but a ſhort time from Boſton, and had only taken a transport from Newfoundland, with ſome recruits for the Nova Scotia volunteers;

which transport was diſmaſted on the coaſt of America, and the Venus retook her with all the recruits cloſe in with Martinique. The Cumberland is a new ſhip, and ſails very faſt; ſhe was commanded by a Mr. Manley, the ſame perſon who commanded the frigate called the Hancock, when ſhe was taken.

I am, &c.

J. BYRON.

*Extracſt of a letter from the Honourable Vice-Admiral BYRON to Mr. STEPHENS.*

*Princeſs Royal in Gros Iſlet Bay, February 5, 1779.*

Sir,

As I found it neceſſary to take the Prince of Wales and all the ſhips of the line with me to meet M. D'Estaing upon his coming out of Fort Royal harbour, Rear-Admiral Barrington (who had ſhifted his flag to the Iſis) expreſſed a deſire to return to the Prince of Wales, and aſt with me rather than remain at the Cul de Sac; I granted his requeſt, and muſt acknowledge myſelf very unhappy at being ſo circumſtanced as to be under an indiſpenſible neceſſity of interfering with a command intruſted to an officer, who has done his duty with ſingular advantage to his country, and much honour to himſelf.

I am, &c.

*Gazette.*]

J. BYRON.

On the 30th of December, 1778, the Duke of Bolton delivered to his Maſteſty, in his cloſet, at St. James's, the following representation:

*To the KING.*

We the ſubſcribing Admirals of your Maſteſty's royal navy, having hitherto on all occaſions, ſerved your Maſteſty with zeal and fidelity. and being deſirous of devoting every action of our lives, and our lives themſelves, to your Maſteſty's ſervice and the defence of our country, think ourſelves indiſpenſibly bound by our duty to that ſervice and that country,

with

with all possible humility, to represent to your wisdom and justice.

That Sir Hugh Palliser, Vice Admiral of the Blue, lately serving under the command of the Honourable Augustus Keppel, did prefer certain articles of accusation, containing several matters of heinous offence against his said Commander in Chief, to the Lords Commissioners for executing the office of Lord High Admiral of Great Britain, he the said Sir Hugh Palliser being himself a Commissioner in the said Commission. This accusation he the said Sir Hugh Palliser with-held from the twenty-seventh day of July last, the time of the supposed offences committed, until the ninth day of this present December, and then brought forward for the purpose of recrimination against charges conjectured by him the said Sir Hugh Palliser, but which in fact were never made.

That the Commissioners of the Admiralty, near five months after the pretended offences aforesaid, did receive from their said colleague in office, the charge made by him against his said Commander, and without taking into consideration the relative situation of the accuser and the party accused, or attending to the avowed motives of the accusation, or the length of time of with-holding, or the occasion of making the same, and without any other deliberation whatever, did, on the very same day on which the charge was preferred, and without previous notice to the party accused of an intention of making a charge against him, give notice of their intending that a Court Martial should be held on the said Admiral Keppel, after forty years of meritorious service, and a variety of actions in which he had exerted eminent courage and conduct, by which the honour and power of this nation, and the glory of the British flag, had been maintained and increased in various parts of the world.

Vol. VII.

We beg leave to express to your Majesty our concern at this proceeding, and to represent our apprehensions of the difficulties and discouragements which will inevitably arise to your service therefrom; and that it will not be easy for men, attentive to their honour, to serve your Majesty, particularly in situations of principal command, if the practice now stated to your Majesty be countenanced, or the principles upon which the same has been supported shall prevail with any Lord High Admiral, or with any Commissioner for executing that office.

We are humbly of opinion, that a criminal charge against an officer (rising in importance according to the rank and command of that officer) which suspends his service to your Majesty, perhaps in the most critical exigences of the public affairs, which calls his reputation into doubt and discussion, which puts him on trial for his life, profession and reputation, and which, in its consequences, may cause a fatal cessation in the naval exertions of the kingdom, to be a matter of the most serious nature, and never to be made by authority but on solid ground, and on mature deliberation. The honour of an officer is his most precious possession and best qualification; the public have an interest in it; and whilst those under whom we serve countenance accusation, it is often impossible perfectly to restore military fame by the mere acquittal of a Court Martial. Imputations made by high authority remain long, and affect deeply. The sphere of action of Commanders in Chief is large, and their business intricate, and subject to great variety of opinion; and before they are to be put on the judgment of others for acts done upon their discretion, the greatest discretion ought to be employed.

Whether the Board of Admiralty hath by law any such discretion, we,

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who



who are not of the profession of the law, cannot positively assert; but if we had conceived that this Board had no legal use of their reason in a point of such delicacy and importance, we should have known on what terms we served. But we never did imagine it possible, that we were to receive orders from, and be accountable to those who, by law, were reduced to become passive instruments to the possible malice, ignorance, or treason of any individual, who might think fit to disarm his Majesty's navy of its best and highest officers. We conceive it disrespectful to the laws of our country to suppose them capable of such manifest injustice and absurdity.

We therefore humbly represent, in behalf of public order, as well as of the discipline of the navy, to your Majesty, the dangers of long concealed, and afterwards precipitately adopted charges, and of all recriminatory accusations of subordinate officers against their Commanders in Chief; and particularly the mischief and scandal of permitting men, who are at once in high civil office, and in subordinate military command, previous to their making such accusations, to attempt to corrupt the public judgment, by the publication of libels on their officers in a common news-paper, thereby exciting mutiny in your Majesty's navy, as well as prejudicing the minds of those who are to try the merits of the accusation against the said superior officer.

<i>Hawke,</i>	<i>Bristol,</i>
<i>John Moore,</i>	<i>James Young</i>
<i>Bolton,</i>	<i>Matthew Barton,</i>
<i>Samuel Graves,</i>	<i>Francis Geary,</i>
<i>Hugh Pigot,</i>	<i>Stuldharn,</i>
<i>Robert Harland,</i>	<i>Clark Gayton.</i>

*Charles-town, (S. C.) Sept. 9.*

Last Saturday, a difference that has for some time past subsisted between General Howe and General Gadsden, terminated in a duel. The following

is an authentic account of the proceedings on that occasion, "Eleven o'clock was the hour appointed for Generals H. and G. to meet. About ten minutes before eleven, General H. and his second, Colonel Pinckney, were at the place appointed, under Liberty-Tree: immediately after they had got there, General G. and his second Colonel Eliot, met them: but there being many people near the spot, and some men in the tree, the seconds proposed to ride to Mr. Percy's land, behind Mr. Rudgeley's house, as it was very well adapted for the purpose, by the shade and retirement it afforded. General G. and Colonel E. went on in a carriage, General H. and Colonel P. followed at an unexpected distance, on horseback.—When they came to the ground they alighted, and the Generals paid each other the usual compliment of hat and hand, and reciprocally declared that they had no rancour, or resentment against each other, and that it was only in compliance with a point of honour, which brought them there.—The seconds then examined and loaded the pistols, in the presence of the Generals; and delivered to General H. one of his own pistols and one of General G's; and to General G. one of his own and one of General H's. General H. then desired his second to acquaint his friends, in case he should fall, that it was his earnest request that they would not prosecute General G. beyond the mere formality of a trial; and General G. desired both the seconds to acquaint his friends, in case he should fall, that he entirely forgave General H. and earnestly begged them not to prosecute him; and he particularly enjoined Colonel P. to charge his son, not to intermeddle in the affair at all. General H's second then stepped off the distance fixed upon by him and Colonel B. (eight short paces) and the Generals being placed at their stations, Colonel E.

H. said, "Gentlemen, we have now marked out your distance, and leave you to act as you please; not doubting, but as this is an affair of honour, you will act consistent with the strictest." General H. then said to General G. "Fire, Sir." General G. said, "Do you fire first, Sir." General H. replied, "We will both fire together." General G. made no answer, but both presented. There was a pause for a few seconds; and General H. lowered his pistol and said, with a smile, "Why won't you fire, General G.?" General G. replied, "You brought me out, General H. to this ball-play, and ought to begin the entertainment." General H. then fired and missed. General G. after a short interval, fired his pistol over his left arm, nearly at right angles from General H. and then called out to General H. to fire again. General H. smiled, and, at the same time, dropping his hand, with the pistol in it, said, "No! General G. I cannot after this." General G.'s second said, he was happy to see so much honour in the Generals; that he did not think General G. could have made a handsomer apology, or General H. have shewn a higher sense of honour, than in acting as he had done. Then General G. went up to him and said, "Now, General H. I will mention to you, what I could not do before, as my letter was a public one, and the words contained in it seemed to me to be proper; and as your's was a private one, the part in it, which in the opinion of my friends left an opening for an apology, I could not then take notice of; but I told my friend in the carriage, before I came on the ground, that I intended to receive your fire; and though I may perhaps talk of this matter again, yet I assure you I shall never in future make use of any harsh expressions concerning you."—General H. replied, "that it was very agreeable

to him, that the matter terminated in this way, and he was happy that he missed him." General G.'s second said, he hoped now the difference that had occasioned this duel, might subside, and be left on that spot. The Generals then in token of their friendships shook hands and parted."

*Philadelphia, November 5.*

We have obtained the following copy of a late letter from the British Commissioners to Congress, which we bear that Honourable body did not think worth their notice.

*New-York, 26th October, 1778.*

Sir,

It being reported that the Hotham tender, Lieutenant Hale, sent from hence with a flag of truce to carry packets directed according to the enclosed list, and containing the original and copies of a Manifesto and Proclamation lately issued by his Majesty's Commissioners, has been wrecked and the papers lost: I have the commands of their Excellencies to transmit the inclosed copies, that the Congress may be informed of the contents; and in case the report respecting the wreck of the vessel above-mentioned should prove true, communicate them to the Assemblies of Pennsylvania and the Delaware counties, to whom, as well as to the Congress, the instrument, executed in due form, shall be sent as soon as any desire is by them signified to that effect.

I am, with due respect, Sir, your most obedient, and most humble servant,

ADAM FERGUSON.

*His Excellency Henry Laurens, Esq;  
the President of the Congress, &c.*

List of packets sent by Lieutenant Hale on board the Hotham tender, addressed as follows:

	No. of packets.
To the Assembly of such of the States of Pennsylvania and	2
P p z	Delaware.

Delaware, instruments signed and sealed on vellum.

To his Excellency the Governor for the time being, in each of the States of Delaware and Pennsylvania,

To the Honourable the President for the time being,

To the Honourable the Speaker of the Assemblies,

To the officer commanding in Chief the Provincial forces,

To the Reverend the Ministers of the Gospel,

To the Chief Justice and Judges of the Courts of Justice,

To the President of the Congress,

To the Delegates of each State in Congress.

ground while he had the least hopes of reclaiming it. Other indications of the same, are farther preparations for embarking more troops, are going on, and they are actually dismantling and destroying their fortifications on Staten-Island.

2 " On its being intimated to me  
2 by Governor Livingston, that Congress was desirous to have the particulars of the massacre of Colonel Baylor's regiment, I desired Dr. Griffith, Surgeon and Chaplain to General Woodford's brigade, and who attends Colonel Baylor and the other wounded persons, to collect all the evidence he could of that barbarous affair. I have just now received his collections on that horrid subject, which, with  
2 with his letter to me, you will find in this inclosure. And that these extracts be followed by Dr. Griffith's letter to Lord Stirling, and the depositions from 1 to 8 inclusive, with  
1 Galloway's letter, No. 9.

13 *Orange-town, October 20, 1778.*

My Lord,

The injunctions laid on me by your Lordship, I have endeavoured to fulfil in the most satisfactory and expeditious manner the nature of my situation would admit. The inclosed testimony will shew that Congress was not misinformed respecting the savage cruelty attending the surprize of Colonel Baylor's regiment; in taking which, I do assure you, regard has been had only to essential facts, without taking notice of the many exaggerating circumstances of inhumanity, such as opprobrious language without distinction, beating even those they thought were mortally wounded, not excepting any of the officers, and stripping every man, in a very cold night, of almost all their cloaths: all this is confirmed by the concurring testimony of all the officers and men, and their nakedness proves, in part, their assertions.

Your Lordship desires me to be circumstantial

*Passy, near Paris, Aug. 12, 1778.*

Sir,

I have the honour to inclose a few news-papers, and a letter from Spain; they contain all the news, excepting that the men of war at Toulon have gone out and taken four rich ships, belonging to the English, said to be worth four millions of livres.

I have the honour to be,  
with all possible respect,  
your most humble servant,

JOHN ADAMS.

*President Laurens.*

Published by order of Congress,  
CHARLES THOMSON, Sec.

*Extract of a letter from Major-general Lord STIRLING, dated Elizabeth-town, October 21, 1778.*

" Yesterday I detected the inclosed letter from J. Galloway to Mrs. Elizabeth Hylliard. By the size and shape of it, he undoubtedly expected it would have escaped our notice, and have reached his sister. The formal leave he takes of his sister, and his head-strong country, that will not be saved by *him*, indicates a general evacuation of New-York; for he never would think of quitting his

sumstantial in every thing that respects the surprize of this regiment; the following account of the *cause* of it is given by Colonel Baylor, and the officers who were present, Colonel Baylor, in order to be at a post where he could better observe the enemy, and get the earliest intelligence of their movements, moved his regiment from Paramus to Heringtown, to which place are two roads leading, one on each side the Hackinack river. Half a mile distance from the village is a bridge over the river, where a Serjeant and twelve men were posted, with orders to patrol a mile below the bridge, and at some distance from the roads; the patrols were to be relieved every hour. The enemy had been informed of this, though the regiment took that station but the preceding day, and sent a large party to get in the rear of this guard; this they effected by going through fields and byeways, a great way about, and took or killed the whole guard, without giving any alarm to the regiment.

The officer who commanded the detachment of the enemy on this service, was Major-general Grey, who had with him the 2d light infantry, 2d grenadiers, the 33d, and one other regiment of foot, and some horse. That he ordered no quarter to be given appears, as well as by the inclosed testimony, from the report of many inhabitants who have heard the British officers speak of it publicly; and also that the charges were drawn from their firelocks, and the flints taken out, that the men might be constrained to use their bayonets only? this has occasioned the General to be nick-named, among such of the British officers as can feel the compunctions of humanity, the *Non-flint General*. The principal agents of General Grey, in this bloody business; appear to be a Major Strawbenzie, Captain Sir James Baird, and a Captain Ball, all of the second

light infantry. The inclosed letter from the Aid-de-camp of General Grey to Sir James Baird, found at the quarters of Sir James, will shew, that the companies commanded by the above-named Captains, were at the places where the greatest cruelties were exercised; as the officers whose watches are enquired after, commanded the troops which suffered most.

It appears that very few, or none of the British officers, entered the quarters of our troops upon this occasion; that no stop might be put to the rage and barbarity of their bloodhounds. It appears, indeed, that *one* of their light infantry Captains had the feelings of remorse, and ventured to disobey his order; he gave quarter to the whole fourth troop, and not a man of them was hurt, except two that happened to be on guard: for the honour of humanity, it is to be wished this gentleman's name had been known.

Notwithstanding the cruelty of the orders, it does not appear, that they effected their purpose so fully as they intended, or might have been expected: the number of privates present were 104—out of which 11 were killed outright, 17 were left behind wounded, 4 of whom are since dead, 39 are prisoners at New-York, 8 of them wounded, the rest made their escape. There are, besides, prisoners in New-York, a Captain (Swan) two subalterns (Randolph and Dade) a volunteer (Killy) and the Surgeon's mate; and, besides Major Clough, who died of his wounds, there were wounded of the officers, Colonel Baylor, Lieutenant Morrow, and Mr. Evans, the Surgeon.

These are all the particulars I have been able to collect concerning this unhappy affair, which can be any way satisfactory.

I have the pleasure to inform your Lordship, that Colonel Baylor is in a very fair way of being soon well, and this

this day moved to the New Bridge, for his more comfortable accommodation.

I have the honour to be, your Lordship's most obedient, and most humble servant,

D. GRIFFITH.

P. S The account given by Colonel Baylor, and his officers, of the cause of his surprize, is confirmed by the enemy's account in Gaine's New-York Paper, of the 12th instant.

*Lord Stirling.*

We, the undersigned persons, soldiers in the regiment of light dragoons, commanded by Col. George Baylor, do, severally, swear and declare, solemnly, as in the presence of Almighty God, that the under-mentioned facts, as related by each of us, are true :

Thomas Hutchinson, Serjeant 3d troop. He says, that he effected his escape, unhurt; but as he run off, he heard the British soldiers cry out, "*shiver him,*" repeatedly.

Southward Cullency, 1st troop, has twelve wounds, ten of which are in his breast, belly and back.

He says, that on the enemy's entering the barn, where his troop lay, he and all the men asked for quarter, which was refused; that the British Capt. Bail, (of the 2d light infantry) asked his men, how many of the rebels were actually dead; and, on being told the number, he ordered all the rest to be knocked on the head; that the soldiers muttered about it, and asked why they had not been made to kill them all at once? and *why they need have two spells about it?* He adds that five or six of the wounded were knocked on the head.

Thomas Benson, 2d troop, has twelve wounds, nine of which are in his body, the other three in his arms. He declares that he heard the men in the barn, where he was, ask for quarter, which was returned with wounds and abusive language; that he did not ask for quarter himself, believing it

in vain, as he heard the British soldiers reply to the others, who begged it, that their Captain had ordered them to stab all, and take no prisoners.

Julian King and George Willis, both of the 2d troop. The former has sixteen wounds, eleven of which are in his breast, side, and belly. The latter has nine wounds, three of them in his breast. They say, that the British soldiers, on entering the barn where they were, sent to know of their officer what they were to do with the two prisoners, who returned for answer, that they were to kill every one of them; that they begged for quarter, which was refused.

Thomas Talley, 2d troop, has six wounds, all of them in his breast and belly. He declares that after the enemy had taken him prisoner and stripped him of his breeches, they sent to their Captain to know what they should do with him, who commanded him into the barn, where they immediately gave him three wounds in the breast with their bayonets, and three afterwards.

Jesse Riding, 3d troop, has one wound in his breast with a bayonet. He declares that he begged for quarter repeatedly and earnestly, and was told there was no quarter for him; that he was on guard over some forage; that the whole guard asked for quarter, and that they were all of them (a corporal and three privates) wounded.

James Amey, 5th troop, has seven wounds, five of them in his breast and belly. He says that he was one of the forage guard at the time of their being surprized; that he begged for quarter of the enemy, which was returned with wounds.

Bartlett Hawkins, 5th troop, has three wounds, two of them in his breast. He says, that, after he got out of the barn where he lay, he asked for quarter, and the officer called out to the soldiers to stab him, which

which he immediately did; that he heard the British soldiers say, they could give no quarters, as it was contrary to their orders.

James Southward, 5th troop. He says, that he escaped unhurt, by concealing himself in the barn, which the enemy entered; that there were 13 men of his regiment in the barn, five of whom were killed outright, all the rest, except himself, were bayoneted; that he heard the British officer order his men to put all to death, and afterwards ask if they had finished all? That they offered quarters to some, who, on surrendering themselves, were bayoneted.

John Carrol, 6th troop, has three wounds, one of them in his breast, says, that he repeatedly asked for quarter, and the enemy cried out, "There is no quarter for you," "run him through." That they afterwards gave quarter to four men of the same troop, who they found in the straw.

*Morris-County, State of New-Jersey, ff.*

James Sudduth, being duly sworn, deposeth and saith, That he is a Sergeant in the fifth troop of Colonel Baylor's regiment of dragoons, in the service of the United States: that sometime about the 27th of September last, being in a barn in Herring-town, near Tapan, in the State of New-York, with a number of men belonging to the said regiment, he was awaked out of his sleep by a noise among the men, and the first words he heard were, *kill them! kill them!* upon which our men cried for quarters, and the enemy told them to turn out; and as they did turn out towards the door of the barn, the enemy bayoneted them, and five of them were killed after they came out of the barn, unarmed, and with intent to surrender themselves prisoners of war. And further this deponent saith not, except that our men made no opposition at all, nor took up their arms, from an expectation, as

he believes, that they would have quarters, and that he heard one of the enemy, and, as he believes, one of their officers, ask, whether they (the enemy meaning) had finished them all? meaning our men; upon which they answered *yes*, and then he ordered them to turn out: that the whole regiment was in six different quarters, and the Colonel's made the seventh.

JAMES SUDDUTH.

Sworn before me, the 18th of October, 1778.

WILLIAM LIVINGSTON.

*Somerset-County, State of New-Jersey, ff.*

Samuel Brooking, being duly sworn, deposeth and saith, That he is a private in Colonel Baylor's regiment of light-horse, in the service of the United States: that in the night of the 27th day of September last, this deponent, together with nineteen others, belonging to the said regiment, lodged in a barn in Herring-town, near Tapan, and were alarmed with a number of the enemy, who had surrounded the said barn: that those of the men in the barn who attempted to get out, were bayoneted in their attempt, upon which the others called out for quarters; upon which the British troops called out to them to come out of the barn, and our men expecting upon that to have quarters, began to march out as prisoners, and the deponent among the rest: that as he came near the barn door, he received a stab with a bayonet in his arm, and in endeavouring to disengage his arm from the bayonet, he wrenched the bayonet from the firelock, and made his escape through another door of the barn, the bayonet remaining in his arm, and he travelling with it sticking in his arm near four miles: as he was running from them, he heard some of them, who were still engaged in taking and killing our men, cry out, *shoot them, and give*

no quarters! and the same cry he heard all along his passage from thence to Colonel Baylor's quarters, which he found also surrounded by the enemy. And further this deponent saith not.

SAMUEL BROOKING.

Sworn the 10th day of October, 1778, before me,

WILLIAM LIVINGSTON.  
*State of New Jersey, Morris-County, ff.*

Thomas Benson, being duly sworn, deposeth and saith, That he is a private in the fourth troop of Colonel Baylor's regiment of light dragoons, in the service of the United States: that in the night of the 27th day of September last, being quartered with the second troop in a barn in Herring-town, one of the men cried out they were surrounded by the enemy, upon which the enemy cried out, *surrender you rebels*, and some of our men called out that it was not worth while to contend, or words to that effect; that notwithstanding this, and our men's making no defence, from an expectation, as he believes, of being treated as prisoners of war, the enemy stabbed this deponent in his back, shoulders, arms, and hip: that he received twelve wounds, as he was told by the Doctor. That of the troop to which he belonged, the enemy killed, as he was informed, and believes, five of those who were in that barn. That he made his escape by getting over a fence in the barn yard. And further this deponent saith not.

THOMAS BENSON.

Sworn the 18th of October, 1778, before me,

WILLIAM LIVINGSTON.  
*Somerset-County, State of New-Jersey, ff.*

David Stringfellow, being duly sworn, deposeth and saith, That he is a private in Colonel Baylor's regiment of dragoons, in the service of the United States: that in the night of

the 27th of September last, this deponent, together with a number of others belonging to the said regiment, lodged in a barn in Herringtown, near Tapan, and being alarmed by a number of the enemy, who had surrounded the said barn, and unable to make a defence from the superiority of the enemy's number, the deponent made his escape out of the barn, but was wounded by one of the enemy with a small sword, after he had got about forty or fifty yards from the barn: that he fell down with the wound, and got under the feet of our own horse in a little shed, to protect himself by that means from the farther assaults of the enemy, and there remained till day light, and then returned again to the barn and got his cloaths, which, in his flight, he had been obliged to leave behind: that he heard one of our Corporals, Henry Rhore, call out for quarters at or near the back door of the said barn, upon which the enemy cursed him, and the next morning this deponent found him in the barn, into which he had crawled with his wounds, with which he expired the same day: that the wound which this deponent received was by an officer of the British troops. And further this deponent saith not.

DAVID STRINGFELLOW.

Sworn the 10th day of October, 1778, before me,

WILLIAM LIVINGSTON.  
*Morris-County, State of New-Jersey, ff.*

Thomas Talley and George Wylis, being duly sworn, depose and say, That they belong to the second troop of light-dragoons in Colonel Baylor's regiment, in the service of the United States: that in the night of the 27th day of September last, being quartered in a barn in Herringtown, near Tapan, they were alarmed with a cry that the first troop of the said regiment, who were quartered in a neighbouring barn, were sur-

surrounded and taken by the enemy; and the said Thomas Talley saith, upon hearing the said alarm, he got up and put on his cloaths, and went to the barn door, and asked the enemy for quarters; upon which they told him to come on, and he should not be hurt; that thereupon he advanced towards them, and on his coming up to them, they pulled off his breeches, and took from him his money, and silver stock and knee-buckles: that they then sent to one of their officers at a neighbouring house, to know what was to be done with the prisoners; that in a few minutes thereafter, word was brought, that the officer ordered all the prisoners to be killed; upon which the deponent was ordered into the said barn, and had no sooner entered the barn, than they struck him with three bayonets about the breast, upon which he dropped on the ground, and afterwards found that he had received three more wounds in the back, of which he was then insensible: that the enemy held a candle to his face, to discover, as he believes, whether he was dead, and he supposes left him, taking him to be dead or expiring, and that he never used any arms, nor made any resistance against them during the whole scene. And the said George Wyllis saith, That upon the above-mentioned alarm, he slipt on his coat and boots, and going to the barn door, he found the enemy at it with their bayonets charged, and thinking it impossible to get out without the loss of his life, he again retired into the barn; and thereupon they came in, laid hold of the deponent, and walked with him to the other door of the barn; that they plundered his pockets, and upon his asking for quarters, they sent a man to ask their Captain what was to be done with their prisoners; that in a few minutes after the man returned, and hallowed at the barn door, that the Captain said they must

kill them all; that upon this he immediately received two wounds with a bayonet in his breast, and on turning about to the other door, he received two more in his back, and they continued stabbing him till he received twelve wounds. That after he had fallen with his wounds, they stripped him, and by their conversation he understood, they left him for dead, with two more of the said troops who lay near him. And further these deponents saith not.

THOMAS TALLY,  
GEORGE WYLLIS.

Sworn the 22d day of October, 1778,  
before me,

WILLIAM LIVINGSTON,  
*Morris-Conney, State of New-Jersey, ff.*

Bartolet Hawkins, being duly sworn, deposeth and saith, That he is a private in the fifth troop of light dragoons in Colonel Baylor's regiment, That sometime in the latter end of last month, he was quartered with the said troops in a barn near Tapan; that the said troops being alarmed by the enemy, this deponent asked for quarters, and four of the enemy standing about the deponent, (he having no arms) an officer ordered them to stab him, upon which two of them immediately stabbed him with their bayonets, and left him near the barn door on the ground, taking him, as he supposes, to be dead or expiring. And farther saith, that when he asked for quarters, the enemy replied that they could give none, for it was their orders to stab every man.

BARTOLET HAWKINS.

Sworn the 22d day of October, 1778,  
before me,

WILLIAM LIVINGSTON,  
*Morris-County, State of New-Jersey, ff.*

Joseph Carrol, being duly sworn, depofed and saith, That he is a private in the sixth troop of Col. Baylor's regiment of dragoons, in the service



of the United States: that on the night of the twenty-seventh day of September last, this deponent with the said troop, being in a barn in Herring-town, being alarmed by the call of the ferjeant, that they were attacked by the enemy, the deponent got up to put on his cloaths, and as he went with his saddle to saddle his horse, at, or just out of the barn-door, seeing himself surrounded by the enemy, he asked for quarters, and surrendered himself a prisoner; upon which some of the enemy, without making him any answer, stuck him with their bayonets in his left arm and breast, and immediately after bayoneted him in his right arm; upon which the deponent dropped down in the barn-yard, where they left him, and returned into the barn, and took four of our men prisoners, the rest having made their escape: that, returning from the barn, they examined him with a candle, and thinking him to be dead, as he believes, they stripped him of all his cloaths, except his shirt and waistcoat: and farther saith, that the said regiment was quartered in six different barns, besides the Colonel's quarters.

JOSEPH CARROL.

Sworn before me, this 18th of September, 1778.

WILLIAM LIVINGSTON.

Morrow, Lieutenant and Adjutant to Colonel Baylor's regiment of light-dragoons, doth declare, solemnly, and upon his honour, That on finding himself surrounded in his quarters, by the British troops, he offered to surrender himself, and begged his life: that they replied, "Yes, damn you, we will give you quarters!" and then rushed on and stabbed him with their bayonets, and stripped him of all his cloaths.

N. B. Mr. Morrow received seven wounds, three of which are in his breast, and he was excessively bruised

in his head with the butts of their muskets. Thinking him dead, they left him without taking his parole.

Abraham Blauveldt, a Captain in the militia of Orange-County, and precinct of Kakeate, doth solemnly, and upon his honour, declare, That pursuing the enemy as they were retiring from Herring-town, on the morning of the twenty-eighth of September last, and finding himself surrounded by a vastly superior force, and a retreat impossible, he offered to surrender himself, but that instead of quarters, he was instantly fired upon and wounded in the thigh, and afterwards stabbed in the breast with a bayonet, and left for dead. He further declares, that he heard the British officers and soldiers swear, that they would give quarters to no militia man.

New-York, October 10, 1778.

My ever dear and only Sister,

I did not leave Philadelphia without writing to you a short letter. Nor can I leave this ungrateful country without taking my leave of a sister for whom I feel all that affection which ought to flow from the breast of the tenderest and most affectionate brother, and whose invariable love and affection never shall be obliterated from my memory. Be assured, whatever be my lot, or however distant my situation, you ever shall be the one of the persons remembered in my prayers to that Supreme Existence whom we both adore, and on whose goodness and mercy we depend for every thing we enjoy here and our expectations hereafter. I call this country ungrateful, because I have attempted to save it from the distress it at present feels, and because it has not only rejected my endeavours, but returned me evil for good. I feel for its misery; but I feel it is not finished—its cup is not yet full—still deeper distress will attend it. Was it in my power, I would, not-

with-

withstanding its severity against me, preserve it from such destruction. But it is not for mortals to counteract the will of Heaven. Its designs are unsearchable, and baffles the wisdom of man. To its decrees, I leave future event. May they be such as shall restore this unhappy land to a state of order and happiness.

Our separation gives me great pain; but I trust it will not be lasting; and I still firmly believe, should Providence spare our lives but a little while, I shall once more enjoy the long wished-for opportunity of embracing my dear and only sister. In the mean time I pray God to bless and preserve you, my brother, and my dear cousins and their children, from all dangers and distress. You shall hear from me often. Adieu, my dear sister, may Heaven take you under its particular care, and give you every comfort under his dispensations. Believe me ever, with the sincerest affection, your brother.

J. GALLOWAY.

Mrs. Elizabeth Hylliard.

Published by order of Congress,  
CHARLES THOMSON, Sec,

*Philadelphia, in Congress, September 9, 1778.*

Resolved, That Mr. President be requested to inform the Marquis de la Fayette, that Congress have a due sense of the sacrifice he made of his personal feelings in undertaking a journey to Boston, with a view of promoting the interest of these States, at a time when an occasion was daily expected of his acquiring glory in the field, and that his gallantry in going on Rhode-Island, when the greatest part of the army had retreated, and his good conduct in bringing off the picquets and out-sentries, deserves their particular approbation.

The foregoing resolution was communicated to the Marquis in the following letter:

*Philadelphia, September 13, 1778.*  
Sir,

I am sensible of a particular degree of pleasure in executing the order of Congress, signified in their act of the 9th instant, which will be inclosed with this, expressing the sentiments of the Representatives of the United States of America, of your high merit on the late expedition against Rhode-Island.

You will do Congress justice, Sir, in receiving the present acknowledgment as a tribute of the respect and gratitude of a free people. I have the honour to be, with very great respect and esteem, Sir,

Your obedient,

and most humble servant,

HENRY LAURENS,

President of the Congress.

*The Right Honourable the Marquis de la FAYETTE, Major General in the army of the United States, &c. &c.*

To which the Marquis replied as follows:

*Camp, September 23, 1778.*

Sir,

I have just received your favour of the 13th instant, acquainting me of the honor Congress have been pleased to confer on me by their most gracious resolve. Whatever pride such an approbation may justly give me, I am not less affected by the feelings of gratefulness, and that satisfaction of thinking my endeavours were ever looked on as useful to a cause in which my heart is so deeply interested, be so good, Sir, as to present to Congress my plain and hearty thanks, with a frank assurance of a candid attachment, the only one worth being offered to the Representatives of a free people.

The moment I heard of America, I loved her: the moment I knew she was fighting for freedom, I burnt with the desire of bleeding for her; and

Q 9 2

the

the moment I shall be able of serving her in any time, or any part of the world, will be among the happiest ones in my life. I never so much wished for occasions of deserving those obliging sentiments I am honoured with by these States and their Representatives, and that so flattering confidence they have been pleased to put in me; which has filled my heart with the warmest acknowledgement and most eternal affection. With the highest regard I have the honour to be,

Your most obedient  
humble servant,  
LA FAYETTE.

*The Honourable the President of  
the Congress, of the United  
States, &c. &c.*

IN CONGRESS, *October 13, 1778.*  
The following letters were read in  
Congress:

*Head-Quarters, October 6, 1778.*  
Sir,

This will be delivered to you by Major General the Marquis de la Fayette. The generous motives which first induced him to cross the Atlantic, and enter the army of the United States, are well known to Congress. Reasons equally laudable now engage his return to France, who, in her present circumstances, claims his service.

His eagerness to offer his duty to his Prince and Country, however great, could not influence him to quit the Continent in any stage of an unfinished campaign—he resolved to remain at least till the close of the present—and embraces this moment of suspense, to communicate his wishes to Congress with a view of having the necessary arrangements made in time, and of being still within reach, should any occasion offer of distinguishing himself in the field.

The Marquis at the same time, from a desire of preserving a relation with us, and a hope of having it yet in his power to be useful as an Ame-

rican officer, solicits only a furlough, sufficient for the purposes above-mentioned—A reluctance to part with an officer, who unites to all the military fire of youth, an uncommon maturity of judgment, would lead me to prefer his being absent on this footing, if it depended on me. I shall always be happy to give such a testimony of his services, as his bravery and conduct, on all occasions, entitle him to; and I have no doubt that Congress will add suitable expressions of their sense of his merits, and their regret on account of his departure. I have the honour to be with the greatest respect, Sir,

Your most obedient servant,  
GEORGE WASHINGTON.

P. S. The Marquis is so obliging as to take charge of a packet, containing the proceedings of a Court Martial in General Schuyler's case.

*Philadelphia, October 13, 1778.*  
Sir,

Whatever care I should take not to employ the precious instants of Congress in private considerations, I beg leave to lay before them my present circumstances, with that confidence which naturally springs from affection and gratitude, the sentiments which bind me to my country can never be more properly spoken of than in presence of men who have done so much for their own. As long as I thought I could dispose of myself, I made it my pride and pleasure to fight under American colours, in defence of a cause which I dare more particularly call ours, because I had the good luck of bleeding for her. Now, Sir, that France is involved in a war, I am urged by a sense of my duty, as well as by patriotic love, to present myself before the King, and know in what manner he judges proper to employ my services. The most agreeable of all, will always be such as may enable me to serve the common cause among those whose friendship I had the happiness

piness to obtain, and whose fortune I had the honour to follow in less smiling times. That reason, and others, which I leave to the feelings of Congress, engage me to beg from them the liberty of going home for the next winter.

As long as there were any hopes of an active campaign, I did not think of leaving the field. Now that I see a very peaceable and undisturbed moment, I take this opportunity of waiting on Congress. In case my request is granted I shall manage so my departure, as to be certain before going off, the campaign is truly over. Inclosed you will find a letter from his Excellency Gen Washington, where he expresses his assent to my getting a leave of absence. I dare flatter myself that I shall be looked on as a soldier on furlough, who most heartily wants to join again his colours, and his most esteemed and beloved fellow-soldiers.

In case it was thought that I can be any way useful to the service of America, when I shall find myself among my countrymen, in case any exertion of mine is deemed serviceable, I hope, Sir, I shall always be considered as the man who is the most interested in the welfare of these United States, and who has the most perfect affection, regard and confidence for their representatives. With the highest regard I have the honour to be, Sir,

Your Excellency's most obedient humble servant,

LA FAYETTE.

*His Excellency the President of Congress, &c. &c.*

*In Congress, October 21, 1778.*

Resolved, That the Marquis de la Fayette, Major-general in the service of the United States, have leave to go to France; and that he return at such time as shall be most convenient to him.

Resolved, That the President write a letter to the Marquis de la Fayette, returning him the thanks of Congress for that disinterested zeal, which led him to America, and for the services he hath rendered to the United States by the exertion of his courage and abilities on many signal occasions.

Resolved, That the Minister Plenipotentiary of the United States of America at the Court of Versailles, be directed to cause an elegant sword with proper devices to be made, and presented in the name of the United States to the Marquis de la Fayette.

The foregoing resolutions were communicated to the Marquis in the following letter :

*Philadelphia, 14th October, 1778.*

Sir,

I had the honour of presenting to Congress your letter, soliciting leave of absence, and I am directed by the House to express their thanks for your zeal in promoting that just cause in which they are engaged, and for the disinterested services you have rendered to the United States of America.

In testimony of the high esteem and affection in which you are held by the good people of these States, as well as in acknowledgment of your gallantry and military talents displayed on many signal occasions, their Representatives in Congress assembled, have ordered an elegant sword to be presented to you by the American Minister at the Court of Versailles.

Inclosed within the present cover will be found an act of Congress of the 21st inst. authorizing these declarations, and granting a furlough for your return to France, to be extended at your own pleasure.

I pray God to bless and protect you, Sir, to conduct you in safety to the presence of your Prince, and to the re-enjoyment of your noble family and friends. I have the honour

to

to be, with the highest respect, and  
with the most sincere affection, Sir,  
Your most obedient,  
and most humble servant,  
HENRY LAURENS,  
President of Congress.

To the Right Honourable the Marquis  
de la Fayette, Major-general in the  
army of the United States, &c. &c.

To which the Marquis returned the  
following answer :  
Philadelphia, the 26th of October,  
1778.

Sir,

I have received your Excellency's  
obliging letter, inclosing the several  
resolutions Congress have honoured  
me with, and the leave of absence  
they have been pleased to grant. No-  
thing can make me happier than the  
reflection that my services have met  
with their approbation. The glorious  
testimonial of confidence and satis-  
faction repeatedly bestowed on me  
by the Representatives of America,  
though superior to my merit, cannot  
exceed the grateful sentiments they  
have excited.

I consider the noble present offered  
me in the name of the United States,  
as the most flattering honour ; it is  
my most fervent desire soon to employ  
that sword in their service against the  
common enemy of my country, and  
their faithful and beloved allies.

That liberty, safety, wealth and  
concord, may ever extend these United  
States, is the ardent wish of a heart  
glowing with a devoted zeal and un-  
bounded love for them, and the highest  
regard, and the most sincere affection  
for their Representatives.

Be pleased, Sir, to present my  
thanks to them, and to accept your-  
self the assurance of my respectful  
attachment. I have the honour to  
be, with profound veneration,

Your Excellency's most obedient,  
humble servant,

LA FAYETTE.

His Excellency Henry Laurens, Esq.  
President of the Congress of the  
United States of America.

Published by order of Congress,  
CHARLES THOMSON, Sec.

In Congress, August 8, 1778.

Whereas, in pursuance of the re-  
commendation of Congress of the  
second of March last, a volunteer corps  
of cavalry from the State of Virginia,  
under the command of the Honour-  
able General Nelson, are now in this  
city, on their way to the army under  
the command of Gen. Washington.

And whereas the removal of the  
enemy from this State renders the  
employment of this corps at present  
unnecessary,

Resolved, That it be recommended  
to the said corps to return.

Resolved, That the thanks of Con-  
gress be returned to the Honourable  
General Nelson, and the officers and  
gentlemen under his command, for  
their brave, generous, and patriotic  
efforts in the cause of their country.

Extract from the Minutes,

CHARLES THOMSON, Sec.

In Congress, Aug. 12, 1778.

A letter from Gen. Nelson was read  
in the words following :

Sir,

The very signal honour that Con-  
gress have been pleased to confer upon  
the Volunteer cavalry under my com-  
mand, must give the highest satis-  
faction to every individual of that  
corps. Such instances of public ap-  
probation cannot fail to stimulate the  
sons of America to step forth in de-  
fence of her injured rights. The  
polite terms in which you have com-  
municated the vote of Congress claim  
the particular thanks of,

Sir, your most obedient,  
and very humble servant,

THOMAS NELSON.

The Hon. HENRY LAURENS,

President of Congress.

Published by order of Congress.

CHARLES THOMSON, Sec.

In

*In Congress, Oct. 12, 1778.*

Whereas true religion and good morals are the only solid foundations of public liberty and happiness,

Resolved, That it be and it is hereby earnestly recommended to the several States to take the most effectual measures for the encouragement thereof; and for the suppressing of theatrical entertainments, horse-racing, gaming, and such other diversions as are productive of idleness, dissipation, and general depravity of principles and manners.

Resolved, That all officers in the army of the United States be, and hereby are strictly enjoined to see that the good and wholesome rules provided for the discountenancing of prophaness and vice, and the preservation of morals among the soldiers are duly and punctually observed.

Extracts from the Minutes,

CHARLES THOMSON, Sec.

In page 179 is Admiral Gambier's letter to the Congress, requesting the release of the officers and crew of the Hotham, which was wrecked in the Delaware as she was going with a flag of truce to Philadelphia, with copies of the Commissioners Manifesto; the following is the answer of the President of the Congress to that letter:

*Philadelphia, Nov. 28, 1778.*

Sir,

Your letter of the 15th instant, respecting the officers and crew of the Hotham sloop, has been laid before Congress, and I am instructed to inform you, that as the Manifesto on board that vessel were of a seditious nature, and intended to open an unwarrantable correspondence; their being covered by a flag of truce is by no means an extenuation of the offence—That as no respect is due by the law of nations to a flag of truce when employed in illicit practices, so, when detected, all the rights of the flag are forfeited, nor does the accidental wreck of the vessel in question

make any distinction in favour of those who navigated her—That the resolution of Congress, authorising the seizure of the flag, being subsequent to the fact complained of in that resolution, requires no justification; the fact must necessarily precede both the complaint and the measures for preventing the consequences of the fact—That addressing the Manifesto in the first instance to Congress, does not prove that it was not sedition, since it was not at the same time addressed to the several Assemblies of these United States, to the clergy, to the officers of the American army, and to the people at large; which incontestibly shews it to be seditious and unwarrantable—That notwithstanding the implied threat of retaliation, had there been greater danger in it than there is, Congress would nevertheless have adhered to such measures as are justified by reason and conducive to the public good.

I have the honour to be, Sir,

Your obedient,

and most humble servant,

HENRY LAURENS,

President of Congress.

JAMES GAMBIER, *Esq. Rear Admiral of the Blue, and Commander of his Britannic Majesty's ships at New-York.*

Published by order of Congress,

CHARLES THOMSON, Secy

*In Congress, December 15, 1778.*

Resolved, That the thanks of this Congress be given to the Honourable Henry Laurens, Esq. late President, for his conduct in the chair and in the execution of public business.

The following resolutions being communicated to the Honourable Henry Laurens, Esq. he returned the following answer in writing:

Honourable Gentlemen,

A consciousness of having faithfully discharged my duty, from the moment Congress were pleased to confer on me the Presidency to my last act of resigning the chair, enhances

ances the value of the acknowledgments with which, after mature deliberation, you have been pleased to honour me. The former must be my true support: Your testimonial will transmit honour to my children.

I entreat you, gentlemen, accept my most grateful thanks, and suffer me to repeat, that I will persevere in measures for the public good with unabated ardour

I have the honour to be with the highest respect, and under a great sense of obligation, your faithful friend and obedient humble servant,

(Signed) HENRY LAURENS

December 16, 1778.

*The Honourable the Congress of the United States of America.*

Published by order of Congress,

CHARLES THOMSON, Sec.

*In Congress, December 16, 1778.*

Congress took into consideration the proceedings of the General Court Martial on the trial of Major-general St. Clair; whereupon

Resolved, That the sentence of the General Court Martial acquitting Major-general St. Clair with the highest honour of the charges exhibited against him, be, and is hereby confirmed.

Ordered, That the resolution be transmitted to the Commander in Chief.

Extract from the Minutes.

CHARLES THOMSON, Sec.

At a General Court Martial, held for the trial of Major-general Schuyler, Major-general Lincoln, President, Brigadier-general Nixon, Brigadier-general Clinton, Brigadier-general Wayne, Brigadier-general Muhlenburg, Colonel Greaton, Colonel Johnson, Colonel Putnam, Colonel M'Gist, Colonel Russel, Colonel Grayson, Colonel Stewart, Colonel Meggs.

October 3, 1778.

The Court, having considered the charge against Major-general Schuyler, the evidence, and his defence,

are unanimously of opinion, that he is NOT GUILTY, of any neglect of duty in not being at Ticonderago, as charged; and the Court thereupon do acquit him with the highest honour.

(Signed) B. LINCOLN, President.

*In Congress, December 3, 1778.*

Resolved, That the sentence of the General Court Martial, acquitting Major-general Schuyler with the highest honour of the charges exhibited against him be, and is hereby confirmed.

Ordered, That the above resolution be transmitted to the Commander in Chief.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*The AMERICAN CRISIS.*

*To the Earl of CARLISLE, General CLINTON, and WILLIAM EDEN, Esq. British Commissioners, at New-York.*

There is a dignity in the warm passions of a Whig, which is never to be found in the cold malice of a Tory. In the one, nature is only heated—in the other, she is poisoned. The instant the former has it in his power to punish, he feels a disposition to forgive; but the canine venom of the latter, knows no relief but in revenge. This general distinction will, I believe, apply in all cases, and suit as well the meridian of England as America.

As I presume your last Proclamation will undergo the strictures of other pens, I shall confine my remarks only to a few parts thereof. All that you have said might have been comprised in half the compass. It is tedious and unmeaning, and only a repetition of your former follies, with here and there an offensive aggravation. Your cargo of pardons will have no market—It is unfashionable to look at them—Even speculation is at an end. They are become a perfect drug, and no ways calculated for the climate.

In the course of your Proclamation,  
you

you say, "The policy as well as the *benevolence of Great Britain*, have thus far checked the extremes of war, when they tended to distress a people still considered as our fellow subjects, and to desolate a country shortly to become again a source of mutual advantage." What you mean by "the *benevolence of Great Britain*," is to me inconceivable. To put a plain question: Do you consider yourselves men or devils? For until this point is settled, no determinate sense can be put upon the expression. You have already equalled, and in many instances excelled, the savages of either Indies; and if you have yet a cruelty in store, you must have imported it, unmixed with every human material, from the original warehouse of Hell.

To the interposition of Providence, and her blessings on our endeavours, and not to *British benevolence*, are we indebted for the short chain that limits your ravages. Remember you do not, at this time, command a foot of land on the continent of America. Staten-Island, York-Island, a small part of Long-Island, and Rhode-Island, circumscribe your power; and even those you hold at the expence of the West-Indies. To avoid a defeat and prevent a desertion of your troops, you have taken up your quarters in holes and corners of inaccessible security; and in order to conceal what every one can conceive, you now endeavour to impose your weakness upon us for an act of mercy. If you think to succeed by such shadowy devices, you are but infants in the political world; you have the A, B, C, of stratagem yet to learn; and are wholly ignorant of the people you have to contend with. Like men in a state of intoxication, you forget that the rest of the world have eyes, and that the same stupidity which conceals you from yourselves, exposes you to their satire and contempt.

VOL. VII.

The paragraph I have quoted, stands as an introduction to the following: "But when that country (America) professes the unnatural design, not only of estranging herself from us, but of mortgaging herself and her resources to our enemies, the whole contest is changed; and the question is, How far Great Britain may, by every means in her power, destroy or render useless, a connection contrived for her ruin, and the aggrandizement of France? Under such circumstances, the laws of self-preservation must direct the conduct of Britain; and if the British Colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy."

I consider you in this declaration like madmen biting in the hour of death. It contains likewise a fraudulent meanness; for, in order to justify a barbarous conclusion, you have advanced a false position. The treaty we have formed with France is open, noble, and generous. It is true policy founded on sound philosophy, and neither a surrender or mortgage, as you would scandalously insinuate. I have seen every article, and speak from positive knowledge. In France, we have found an affectionate friend and a faithful ally; from Britain, nothing but tyranny, cruelty, and infidelity.

But the happiness is, that the mischief you threaten, is not in your power to execute; and if it were, the punishment would return upon you in a ten-fold degree. The humanity of America hath hitherto restrained her from acts of retaliation, and the affection she retains for many individuals in England, who have fed, clothed, and comforted her prisoners, has, to the present day, warded off her resentment, and operated as a screen to the whole. But even these considerations must cease, when national objects interfere and oppose them.

R r



them. Repeated aggravations will provoke a retort, and policy justify the measure. We mean now to take you seriously up upon your own ground and principle, and as you do, so shall you be done by.

You ought to know, gentlemen, that England and Scotland are far more exposed to incendiary desolation than America in her present state can possibly be. We occupy a country with but few towns, and whose riches consists in land and annual produce. The two last can suffer but little, and that only within a very limited compass. In Britain it is otherwise. Her wealth lies chiefly in cities and large towns, the repositories of manufactures, and fleets of merchantmen. There is not a Nobleman's country-seat but may be laid in ashes by a single person. Your own may contribute to the proof: in short, there is no evil which cannot be returned when you come to incendiary mischief. The ships in the Thames may certainly be as easily set on fire as the temporary bridge was a few years ago; yet of that affair no discovery was ever made; and the loss you would sustain by such an event, executed at a proper season, is infinitely greater than any you can inflict. The East-India House and the Bank, neither are nor can be secure from this sort of destruction, and, as Doctor Price justly observes, a fire at the latter would bankrupt the whole nation. It has never been the custom of France and England, when at war, to make those havocks on each other, because the ease with which they could retaliate, rendered it as impolitic as if each had destroyed his own.

But think not, gentlemen, that our distance secures you, or our invention fails us. We can much easier accomplish such a point than any

nation in Europe. We talk the same language, dress in the same habit, and appear with the same manners as yourselves. We can pass from one part of England to another unsuspected, many of us are as well acquainted with the country as you are, and should you impolitically provoke our will, you will most assuredly lament the effects of it. Mischiefs of this kind, require no army to execute them. The means are obvious, and the opportunities unguardable. I hold up a warning piece to your senses, if you have any left, and "to the unhappy people likewise, whose affairs are committed to you \*." I call not with the rancour of an enemy, but with the earnestness of a friend on the deluded people of England, lest between your blunders and theirs, they sink beneath the evils contrived for us.

"He who lives in a glass-house, says the Spanish proverb, should never begin throwing stones." This, gentlemen, is exactly your case; and you must be the most ignorant of mankind, or suppose us so, not to see on which side the balance of accounts will fall. There are many other modes of retaliation, which for several reasons I choose not to mention. But be assured of this, that the instant you put a threat in execution, a counter-blow will follow it. If you *openly* profess yourselves savages, it is high time we should treat you as such; and if nothing but distress can recover you to reason, to punish will become an office of charity.

While your fleet lay last winter in the Delaware, I offered my service to the Pennsylvania Navy Board then at Trenton, as one who would make a party with them, or any four or five gentlemen on an expedition down the river to set fire to it; and though it was not then accepted, nor the

\* General Clinton's letter to Congress.

thing *personally* attempted, it is more than probable, that your own folly will provoke a much heavier stroke in some more vulnerable part. Say not when the mischief is done, that you had not warning, and remember that we do not begin it, but mean to repay it. Thus much for your savage and impolitic threatening.

In another part of your Proclamation you say; " But if the honours of a military life are become the object of the Americans, let them seek those honours under the banners of their \_\_\_\_\_, and in fighting the battles of the united British empire against our late *mutual and natural enemies*." Surely! the union of absurdity with madness was never marked in more distinguishable lines than those. Your

\_\_\_\_\_, as you call \_\_\_\_\_, may do well enough for you, who dare not enquire into the humble capacities of \_\_\_\_\_; but we, who estimate persons and things by their real worth, cannot suffer our judgments to be so imposed upon; and unless it is your wish to see him exposed, it ought to be your endeavour to keep him out of sight. The less you have to say about him, the better. We have *done with him*, and that ought to be answer enough.

The impertinent folly of the paragraph I have just quoted, deserves no other notice than to be laughed at and thrown by; but the principle on which it is founded, is detestable. *We are invited to submit to \_\_\_\_\_ who has attempted by every cruelty to destroy us, and to join \_\_\_\_\_ in making war against France, who is already at war*

*for our support.* Can Bedlam, in concert with Lucifer, form a more mad and devilish request? Were it possible that a people could sink into such apostacy, they would deserve to be swept from the earth like the inhabitants of Sodom and Gomorrah. The proposition is an universal affront

to the rank which man holds in the creation. An indignity to him who placed him there: It supposes him made up without a spark of honour, and under no obligation to God or man.

What sort of men or Christians must you suppose the Americans to be, who after seeing their most humble petitions insultingly rejected; the most grievous laws passed to distress them in every quarter; an undeclared war let loose upon them, and Indians and Negroes invited to the slaughter: who after seeing their kindred murdered, their fellow citizens starved to death in prisons, and their houses and property destroyed and burned: who after the most serious appeals to Heaven; the most solemn abjuration by oath of all government connection with you, and the most heart-felt pledges and protestation of faith to each other; and who after soliciting the friendship, and entering into alliances with other nations, should at last break through all these obligations, civil and divine, by complying with your horrid and infernal proposal. Ought we ever after to be considered as a part of the human race? Or ought we not rather to be blotted from the society of mankind, and become a spectacle of misery to the world?—But there is something in corruption, which like a jaundiced eye, transfers the colour of itself to the object it looks upon, and sees every thing stained and impure; for unless you were capable of such conduct yourselves, you could never have supposed such a character in us. The offer fixes your infamy. It exhibits you as a nation without faith; with whom oaths and treaties are considered as trifles, and the breaking them as the breaking of a bubble. Regard to decency or to rank might have taught you better, or pride inspired you, though virtue could not. There is not left a step

in the degradation of character to which you can now descend; you have put your foot on the ground floor, and the key of the dungeon is turned upon you.

That the invitation may want nothing of being a complete monitor, you have thought proper to finish it with an assertion which has no foundation either in fact or philosophy: and as Mr. Ferguson, your Secretary, is a man of letters, and has made civil society his study, and published a treatise on that subject, I address this part to him.

In the close of the paragraph which I last quoted, France is stiled the "natural enemy" of England, and by way of lugging us into the same strange idea, she is likewise stiled the *late mutual and natural enemy* of both countries. I deny that she ever was the natural enemy of either, and that there does not exist in nature such a principle. The expression is an unmeaning barbarism, and wholly unphilosophical when applied to beings of the same species, let their rank in the creation be what it may. We have a perfect idea of a *natural enemy* when we think of the *Devil*, because the enmity is perpetual, unalterable and unabateable. It admits of neither peace, truce or treaty; consequently the warfare is eternal, and therefore it is natural. But man with man cannot arrange in the same opposition. Their quarrels are accidental and equivocally created. They become friends or enemies as the change of temper or the cast of interest inclines them. The Creator of man did not constitute him the natural enemy of each other. He has not made any one order of beings so. Even wolves may quarrel, still they herd together. If any two nations are so, then must all nations be so, otherwise it is not nature but custom, and the offence frequently originates with the accuser. England is as tru-

ly the natural enemy of France, as France is of England, and perhaps more so. Separated from the rest of Europe, she has contracted an unfociable habit of manners, and imagines in others the jealousy she creates in herself. Never long satisfied with peace, she supposes the discontent universal, and buoyed up with her own importance, conceives herself the only object pointed at. The expression has been often used, and always with a fraudulent design; for when the idea of a *natural enemy* is conceived, it prevents all other enquiries, and the real cause of the quarrel is hidden in the universality of the conceit. Men start at the notion of a natural enemy, and ask no other questions. The cry obtains credit like the alarm of a mad dog, and is one of those kind of tricks, which, by operating on the common passions, secures their interest through their folly.

But we, Sir, are not to be thus imposed upon. We live in a large world, and have extended our ideas beyond the limits and prejudices of an island. We hold out the right hand of fellowship to all the universe, and we conceive there to be a sociality in the manners of France, which is much better disposed to peace and negotiation than that of England; and until the latter become more civilized, she cannot expect to live long at peace with any power. Her common language is vulgar and offensive, and children with their milk suck in the rudiments of insult. "*The arm of Britain! The mighty arm of Britain! Britain that shakes the earth to its center and its poles! The scourge of France! The terror of the world! That governs with a nod, and pours down vengeance like a God.*" This language neither makes a nation great or little; but it shews a savageness of manners, and has a tendency to keep national animosity

animosity alive. The entertainments of the stage are calculated to the same end, and almost every public exhibition is tinged with insult. Yet England is always in dread of France. Terrified at the apprehension of an invasion. Suspicious of being outwitted in a treaty, and privately cringing, though she is publicly offending. Let her, therefore, reform her manners and do justice, and she will find the idea of a *natural enemy* to be only a phantom of her own imagination.

Little did I think, at this period of the war, to see a Proclamation which could promise you no one useful purpose whatever, and tend only to expose you. One would think you were just awakened from a four years dream, and knew nothing of what had passed in the interval. Is this a time to be offering pardons, or renewing the long forgotten subjects of charters and taxation? Is it worth your while, after every force has failed you, to retreat under the shelter of argument and persuasion? Or can you think that we, with nearly half your army prisoners, and in alliance with France, are to be begged or threatened into submission by a piece of paper? But as Commissioners at a hundred pounds sterling a week each, you conceived yourselves bound to do something, and the Genius of ill fortune told you you must write.

For my own part, I have not put pen to paper these several months. Convinced of our superiority by the issue of every campaign, I was inclined to hope that, that which all the rest of the world can see, would become visible to you, and therefore felt unwilling to ruffle your temper by fretting you with repetitions or discoveries. There have been intervals of hesitation in your conduct, from which it seemed a pity to disturb you, and a charity to leave you to yourselves. You have often stopped,

as if you intended to think; but your thoughts have ever been too early or too late.

There was a time when Britain disdained to answer, and even to hear a petition from America. *That* time is past, and she in her turn is petitioning our acceptance. We now stand on higher ground, and offer her peace; and the time will come when she, perhaps in vain, will ask it from us. The latter case is as probable as the former ever was. She cannot refuse to acknowledge our Independence with greater obstinacy than she before refused to repeal her laws; and if America alone could bring her to the one, united with France, she will reduce her to the other. There is something in obstinacy which differs from every other passion; whenever it fails, it never recovers, but either breaks like iron, or crumbles sulkily away like a fractured arch. Most other passions have their periods of fatigue and rest; their suffering and their cure; but obstinacy has no resource, and the first wound is mortal. You have already begun to give it up, and you will, from the natural construction of the vice, find yourselves both obliged and inclined to do so.

If you look back, you see nothing but loss and disgrace. If you look forward, the same scene continues, and the close is an impenetrable gloom. You may plan and execute little mischiefs, but are they worth the expence they cost you, or will such partial evils have any effect on the general cause? Your expedition to Egg-harbour will be felt at a distance, like an attack upon a hen-roost, and expose you in Europe with a sort of childish phrenzy. Is it worth while to keep an army to protect you in writing Proclamations, or to get once a year into winter quarters? Possessing yourselves of towns, is not conquest, but convenience, and in which

which you wish, one day or other, be trepanned. Your retreat from Philadelphia was only a timely escape, and your next expedition may be less fortunate.

It would puzzle all the politicians in the universe, to conceive what you stay for, or why you have staid so long. You are prosecuting a war in which you confess you have neither object nor hope, and that conquest, could it be effected, would not repay the charge. In the mean while the rest of your affairs are running to ruin, and an European war kindling against you. In such a situation, there is neither doubt or difficulty; the first rudiments of reason will determine the choice; for if peace can be procured with more advantages than even a conquest can be obtained, he must be an idiot indeed that hesitates.

But you are probably buoyed up by a set of wretched mortals, who, having deceived themselves, are cringing with the duplicity of a spaniel, for a little temporary bread. Those men will tell you just what you please. It is their interest to amuse, in order to lengthen out their protection. They study to keep you amongst them for that very purpose; and in proportion as you disregard their advice and grow callous to their complaints, they will stretch into improbability, and pepper off their flattery the higher. Characters like these are to be found in every country, and every country will despise them.

COMMON SENSE.

Philadelphia, October 20, 1778.

*The following Paper was printed in New-York, by authority.*  
To the author of the preceding CRISIS, No. VI.

There is a simplicity in the unadorned language of virtue and rea-

son, never to be found in the florid stile and turgid periods of faction and treason: In the one, the address is made to the understanding, and to those benevolent affections that tend to the happiness and elevation of man. In the other, truth and nature are perverted, the malevolent passions excited, and every sentence loaded with rancorous and indecent epithets, that to an unprejudiced and well-conditioned mind prove their own antidote.

To which of these descriptions apply the late Manifesto of the Commissioners, and to which that paper you have opposed to it, will be determined in due time, by their effect upon the minds of the people. Had I the honour of your correspondence, I should expect to be told in a language entirely free from insult, coarse abuse, affected triumph, and idle declamation, that "you with confidence rest your cause upon the event," and there, Sir, let it rest.

But remember that the delusion is near at an end; that the people have had some experience of the blessings of your government; that they have had full time to compare the share of personal freedom, security of property, general protection, and more particularly that exemption from taxation, which they have hitherto enjoyed, and have so fair a future prospect of, under the auspices of the Congress, to the grievances they formerly experienced when in union with their mother country, and to those severe and equivocal terms now held out to their acceptance. Remember too, that passion and prejudice at length subside; that men by degrees learn from experience, if not from reflection; to discover how far the pursuits of their rulers coincide with the interests of the society.—How far they are influenced by motives of private emolument and ambition, or governed by a true patriotism,

triotism, founded on the love of general freedom, justice, and humanity.

Consider that men will, and can count, and that the majority of the freemen of America, who are now excluded from the common privilege they all heretofore enjoyed, of voting at the election of their representatives, must have become sensible of the advantages of that policy which relieves them from so troublesome a task, particularly at a time when taxes are so equally and sparingly imposed, and justice so truly and mildly administered; and consequently that they must be ready to hazard their lives and fortunes, with alacrity, in support of their new modelled government.

Consider how probable it is that the Congress, citizens of the world, and philosophers, as they all are themselves, should prevail upon colonies of Englishmen, to forget all the narrow impolitic prejudices, and idle affections, founded on consanguinity, and on the habits of long union, friendship and intercourse, and to concur heartily with the King of France, that renowned protector of the rights of mankind, in an attempt to overwhelm Great-Britain, the noted enemy of liberty.

Consider again what confidence the inhabitants of America must have in the disinterested views of the Congress, not only from the great stock of original property, that those members who most strenuously oppose a reconciliation, hazard in the contest, as well as from the personal danger they expose themselves to in the field; but also from the known characters of those gentlemen so distinguished for probity, so void of ambition, so averse to rule, so fond of peace and order, of justice and humanity.

Consider all these things, and then look well to yourselves. Your political pursuits do indeed equal honour to the soundness of your hearts, and

of your heads. When virtue and wisdom unite, who can doubt the event?

I have the more willingly indulged the effusions of my mind in this tribute of gratitude, so justly due to the dignified legislators of this new world, that I might also confirm your confidence, which appears to me, in this your last paper, to be rather assumed, notwithstanding the fire and elegance of your composition, and the depth and soundness of your reasoning.

Fear not, my friend—Reflect that you are the champion, chosen by the Congress, to undermine the specious arguments and offers of the British Commissioners, to sap by degrees those idle impressions that, both from nature and education, still weigh with the weak part of the Americans, and to prepare them for the new principles of policy and morals, which Messrs. Adams have so happily introduced.

Reflect that, until the minds of men are totally changed, the Congress cannot openly combat their prejudices, without incurring general odium; that therefore they have wisely resolved to avoid all argument with the British Commissioners on the various subjects addressed to them; and that through your efforts, and the efforts of men like you alone, can the minds of the people be stored with the philosophy necessary to make them sensible of the happiness their governors are preparing for them.

At the Old Bailey, in England, (where it is still the practice, as it was once with us, for men to be condemned to death, for taking away the property, or lives of others without just cause, as warranted by established precedent of law, and for conspiring against the constitution of their country) it is a custom with the Newgate Solicitors to prepare the pannels for their defence, by previously

ly personating the Council that profecute, and urging all the arguments and questions that might be offered at the bar against their clients:—Although in most things, the usages, as well as the manners and principles of the French, are become much more to my taste than those of England, I confess, I think this a wise custom, and I shall therefore, if you please, so far force my nature, as to personate a loyalist, in the remaining part of this letter, and argue accordingly.

“ In the Crisis you are pleased to compare the British nation to devils, whose canine venom and unheard-of cruelties imported from the original warehouse of Hell, have, during the course of this war, exceeded the savages of either Indies.—You say that the proposals of the Royal Commissioners are horrid and infernal, the union of madness and absurdity, Bedlam in concert with Lucifer.—You threaten retaliation; to burn every house, manufacture and ship in England, to trepan our army, and to give no sort of quarter, (God preserve us) and conclude, that the time may come, when Britain shall in vain sue for peace from France and her American allies.”—These, if I mistake not, are your words—I wish not to add to their energy—they are new—in print at least, and need no embellishment, either as to sense, sentiment or language.—However, we cannot help thinking them a little too severe.

Had it been the inclination of Great Britain, to pursue the most short, easy and certain method of putting an end to the rebellion, without regard to the sufferings of her unhappy Colonists, her armies having been in possession of most of the capital towns of America, might certainly have burnt them to the foundation, and have laid in ruin and desolation the most flourishing provinces without expence or trouble, or without going one foot out of their

way, had not the Generals restrained the just indignation of the soldiers, who, enraged at the severities and cruelties exercised against the loyalists, at the very base and ungalant mode of war generally employed by the rebels, and at the particular treachery and duplicity of that part of the peasantry that took arms against them, have been with difficulty withheld from doing justice to themselves and their country.

The British soldier, allowed by all mankind, except his rebel relations, to be as generous as brave, has been ever the most ready to receive with open arms that enemy which best tried his metal in the fair contentions of the field for glory; and if in any instances he should appear to have lost the native generosity of his disposition, the world, who knew his character, will enquire into the provocation, before he is condemned. Should he be accused of having refused to give quarter, the most Christian soldier will acquit him, when he is told the enemy he put to death, in place of meeting him fairly in action, made it a practice to fire at him and fly, from fence to fence, until he was disabled from doing more mischief, by being overtaken, or had wounded him as soon as his back was turned from the very house, at the threshold of which, he had met him with open arms, made professions of loyalty, and received his protection. Every soldier must smile to hear a party at war complain of breach of the peace, and reproach their antagonists, because in a night attack they did not previously awake their enemies, warn them of their danger, and give them the choice of defending themselves with advantage, or of running away. Complaints of this kind betray an extreme effeminacy of spirit, and a natural incapacity for the rough struggles of serious service.

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One would imagine that you had with your usual modesty proposed, and that Great Britain, with her wonted good nature had agreed, that you should fire at her troops whenever you pleased, and run off, and that when they caught you, they were to make much of you; that you should for your amusement break their bones from your windows, and that in return, they should protect your persons, and place safeguards at your doors; that you should hang round their camp, desolate your own country to cramp their subsistence, and take every opportunity of committing safe murder; and that they in return should watch over your slumbers, and procure to your detachments quiet and safe dreams.

But the British troops relish not the Christian meekness and forbearance that have prevailed so much in the councils at home. They have in mind your treatment of General Burgoyne's troops, with difficulty prevailed upon to prefer your faith to a death by famine. They know you, and fear your smiles more than your enmity. What they give, they are ready to take; and as they are ever disposed to respect and do justice to real gallantry, even in the persons of rebels, so will they do strict justice upon those skulking assassins who disgrace and degrade the profession of arms.

You also endeavour to charge the British army with the injuries that the country is necessarily exposed to from being the seat of war. Hitherto sheltered under the parental wings of England, little do the Americans know the unavoidable distress and ruin that follow the footsteps of the best disciplined armies.

In Hanover, the favourite territory of the late King, the crop of grain when green was annually consumed as forage by the army assembled there last war for its defence; the fences and woods used as fire by

the troops; garden stuff and fruit taken without any restriction by the men; and no sort of compensation made for any of these articles to the inhabitants—nor for the poultry, cattle and houses that the soldiers will find means to plunder at times in spite of all restraint:—

Moreover, the farmers were made to drive to the magazines of the army, at a stated price, what remains of forage and grain they had saved during harvest for their winter's provision; and those who did not comply, were necessarily treated as enemies, their produce taken by force, and not paid for, and contributions raised upon them, under penalty of burning their houses, and laying waste the country, if they resisted or refused. Much of this have the unhappy inhabitants of this continent experienced from their own troops, with this cruel aggravation, that what they are paid for is in counters, and that they are insulted and plundered under pretence of protecting their liberty and property;—much more must they necessarily experience from both armies, in the future progress of the war, if they are prevailed upon to sacrifice their private security, rights and happiness in a vain attempt to erect an untimely throne for their seducers.

Those Americans who are not sufficiently cured of their passion for prosecuting a war without an object, by the preceding account of the unavoidable hardships that they will necessarily suffer from the army the most disposed to favour them, I shall refer to the attested accounts of the ravages of their French allies in Hanover last war, and in the different provinces of Germany during the invasions of Louis the XIVth. The outrages there committed against persons of all sexes and conditions, and the unheard-of indignities offered to the Protestant churches and worship, will not be read without indignation



and horror by all who are endued with a love of liberty, humanity and religion, unless indeed they are initiated in the new philosophy.

That the country has suffered by the British army, no man will deny with any success, unless he can prove that it was not composed of men like other armies, but of angels: but let it be remembered that the officers could not hazard to disgust the men, who were uncommonly irritated from the nature of the war, by the restraints of a very rigid discipline, without assisting the views of the rebels, who applied themselves most assiduously to profit by the opportunities that their connections and the same language afforded of promoting desertion; and that the troops were obliged to help themselves and take what they could, as they were not only prevented from supplying their wants by fair purchase, by the unjust and severe punishments inflicted by the rebel officers and committees on such of the inhabitants as approached the British camp to receive payment for the cattle which the detachments had been under a necessity of collecting, but also as the Congress adopted the policy equally ruinous, dastardly and cruel, of laying waste the country they professed to protect, in order to throw a momentary inconvenience in the way of an enemy whom they durst not openly oppose.

The rebel chiefs are therefore alone answerable for the irregularities which they have forced the British troops to practise, as well as for the injuries the country has sustained from the necessities and licentiousness of their own. The balance against them is not forgot, and at the settlement of accounts will be duly stated.

Had the British nation or officers suffered the just resentment of the soldiers to have had way, Boston and Philadelphia, Newcastle, Wilmington, Chester, German-town, Bristol,

Burlington, Trenton, Prince-town, Brunswick, Elizabeth-town, Amboy, Newark, and many other towns, with the best parts of the provinces of New-York, Pennsylvania, and New-Jersey, would not have had, at this time, a house remaining to receive an inhabitant. Mr. Washington, in a public letter has done justice to Sir William Howe with regard to the state in which Boston was left, and every inhabitant of Philadelphia must remember, that Sir Henry Clinton put his army to the inconvenience of laying upon the ground the night before he quitted that town, to prevent its being plundered or burnt; for which last purpose one lighted straw, privately applied, is sufficient among wooden buildings, such as generally prevail in America.

Thus, had it been the design either of the British officers or of the Generals, or of the nation, to have connived at, much less to have encouraged, the irregularities of the soldiers, the war would now have been at an end, and America disabled from disturbing the peace of the world for at least a century to come. But this is a trifle to what the Congress lay to their charge. They boldly and roundly assert, without hesitation or circumlocution, that the King's forces have been employed during this war of express purpose in desolating the country and burning the towns to the utmost of their power, in imitation, I presume, of their own policy at New-York, when chased from it. If I may venture, without incurring ridicule, to enter into a refutation of an assertion so palpably extravagant, I would observe, that the army, had this been its object, would not have been much retarded on its way to Elk-head, in demolishing Norfolk, Williamsburg, Baltimore and Annapolis, with the settlements around; and as Mr. Washington, with the whole Continental army nearly joined to the militia of the populous provinces

vinces of Jersey and Pennsylvania, and assisted by the presence of the Congress, could not prevent the British troops, although deprived of all communication with their ships, from penetrating into the heart of America, possessing themselves of Philadelphia, (prepared for defence at an expence in forts, galleys, chevaux de frize, &c. which they can scarce again afford to repeat) and chasing those sages a little irreverently from their stools, it will not be pretended that the feeble provinces of Virginia and Maryland could have covered their towns, open as they are, close to the water, and made up of combustibles, against the united exertions of the British fleet and army: and had the army afterwards burnt Philadelphia, (in place of losing a campaign in covering that town, and in unavailing attempts to reclaim the rebels by mild means,) directed its avenging steps to the north, and revisited New-England and the other provinces at the opposite extremity with the returning sun, what, O America, would now be your condition — May your rulers never force you from experience to know how much more easily you are to be compelled to your duty by 5000 men employed in serious hostilities, than win to your interest by a mock war carried on by 50,000.

The tone of insult, defiance and exultation affected by the Congress, cannot surely so totally blind you, but that you must be sensible that the force necessary to occupy any one of your towns, will prove more than sufficient to burn to the ground in one summer almost every sea port and town upon the continent.

Compare your numbers, resources, military force and extent of frontier to that of France, and recall to your minds the last war, when that powerful kingdom could not protect about an hundred leagues of coast laying upon the English channel, (the principal and professed object of our ex-

peditions,) with an army of 300,000 standing forces, joined to twice as many militia; (for there were ten millions of inhabitants within 100 leagues of the points attacked,) every where provided with a numerous artillery and warlike stores; with the advantage of a *fighting* cavalry, thrice as numerous as the Continental army, and capable of pushing with great expedition from one extremity to the other of the frontier threatened; the whole coast covered with fortresses, each of which was able to withstand for months an attack from a well provided army of 50,000 men; and the country to a man united under an established government in one common cause.

The force employed in these expeditions did not much exceed in numbers, either of the corps now stationed at Rhode-Island or Halifax, or one half of the army lying in the environs of New-York; and yet they not only invaded the open towns and country at pleasure, but took and demolished the strong fortress and important harbour of Cherburgh, burnt the French ships under the very cannon of St. Maloes, and kept the whole coast in constant alarm.

What then will hyperbole and impotent bravadoes avail the rebels of America, should Great Britain be unhappily forced to disable where she cannot reclaim, and in her own defence be necessitated to destroy, in a few months, those settlements that have cost her ages of parental attention and unmerited generosity to rear.

Had your usurpation the sanction of a long establishment, had it been founded on necessity, and maintained with a due regard to freedom and justice, even with respect to your own society, in place of being a treasonable conspiracy of a few artful feigned enthusiasts to gain an unlimited command of the lives and properties of their fellow-subjects, by fanning the sacred fire of liberty to a flame that

ever is sure to consume the materials of which it is composed—Were you even to a man united, in place of having in the bosom of every province a great proportion of spirits smarting under the weight of heavy and recent injuries, who detest your tyranny, and wait with impatience for an opportunity of spurning you from your mock-throne—how could you hope to defend yourselves?

Your numbers little exceeding two millions, and these a motley mixture of unresisting quakers, disaffected slaves, sickly enervated planters in the south, and ungovernable republicans in the north, all encumbered with families and an uncommon proportion of helpless children, scattered over a tract of country 1200 miles in extent in a direct line, and having 1800 miles of coast to cover, including the different indentments that every where enable a naval force to find shelter from the storms unmolested from the shore, to enter into the heart of the country, interrupt all communication, disembark and re-embark in smooth water almost every where and at all seasons, and elude the preparations against it, by throwing itself at choice on the side undefended.

Your whole standing army (in spite of all the oppressive means employed to force men into your service, in spite of the immense public debt incurred, as well as of the private loss every where to individuals; by having their cattle, grain and clothing forced from them at an half and a third of the current price, to feed and clothe your starving soldiers and needy French allies) not equal to one of several detachments that could tomorrow be let loose upon your coast: and composed mostly of Irish and Germans who despise you, and who could without any expence to Government be easily induced, by an offer of a part of that property which you have forfeited to the laws of your

country, to strip you of your borrowed plumes, and leave you to the indignation of your enemies and contempt of the world.

Your country without one walled town, and the united exertion of your whole continent unequal to furnish the materials, artificers and labourers necessary to build one good fortress, such as there are hundreds on the frontiers of France and Germany; and which are absolutely essential to the existence, not to say the security of a people, however numerous, collected and powerful in other respects, who pretend to make war without having a superior naval force to protect their coast.

Moreover, the very extent, divided and unfortified situation of the American settlements that have increased the difficulties of reducing and keeping them to their duty by gentle means, where the first object was to save the country, and spare the inhabitants, will render it easy at least in the same proportion, when serious offensive measures are adopted to disenable and extinguish the whole force of the provinces in detail.—The mystery of our want of success will then be at an end, and prompt conviction follow the experiment.—In the mean time weigh these circumstances well, and exult in your strength.

To trace the various hesitating and reluctant steps with which Great-Britain has been urged by increasing provocation to proceed to extremities against her rebel colonists, must excite in every mind susceptible of virtuous impressions, a mixture of affection, veneration and regret—and will furnish in future history some of the brightest pages to adorn the annals of man. Posterity will there see a powerful nation doubtful of the strict justice of the claims of her Ministers, and respecting the errors of liberty even to the extremes of licence and disorder, with difficulty prevailed upon to use the mildest coercive measures

measures in support of that authority of Government, essential to the existence of mankind in society; a large proportion both of the people and of their representatives contending for concessions in favour of the revolted provinces, in spite of the indignity and extreme impolicy of yielding to armed subjects; the nation submitting to continued expence, and offering terms infinitely beyond the original claims of the insurgents, and her troops at the same time foregoing every where the fruits of those successes which they owed to their superior virtue, rather than oppress, by the usual modes of enforcing submission, a people whom they believed to be deluded.

So far will posterity respect the illustrious self-denial and forbearance of England; but when it shall be recorded, that the rebel cabal broke the most solemn conventions; employed secret emissaries to burn her fleets and docks, prevailed upon her most formidable enemies to join with them in times of full peace in conspiring her ruin, and rejected with the strongest marks of inveteracy and insult, every practical proffer of an equal union and alliance; piety, justice and all the charities will join to applaud the vengeance, however severe, that shall follow, providing it is levelled at the guilty alone, and that the public atone for any unhappy mistakes that may be made.

There are those who assert the impossibility of discriminating, and from thence infer the necessity of involving the provinces in one general undistinguished ruin.—But the generous spirit of Englishmen will ever revolt at an idea which the extreme necessity of self-preservation can alone justify.—For the present, policy equally with justice and humanity forbid it. The means to avoid the innocent are very simple, and 50,000l. would more than compensate the mistakes of two years ravages; and

thus signal and strict justice be executed on those who have been active, and continue obstinate in rebellion; indulgence extended to all who have involuntary been obliged to submit to the tyranny, and co-operate with the views of their seditious demagogues; and the forfeitures would be more than sufficient to indemnify those subjects who adhere to their allegiance, as well as to reward those who, with a bolder virtue, hazard their lives in support of the constitution of their country.

MEMENTO MORI.

### THE CRISIS. No. VII.

*To the PEOPLE of ENGLAND.*

There are stages in the business of serious life in which to amuse is cruel, but to deceive is to destroy; and it is of little consequence, in the conclusion, whether men deceive themselves, or submit, by a kind of mutual consent, to the impositions of each other. That England has been long under the influence of delusion or mistake, needs no other proof than the unexpected and wretched situation she is now involved in: and so powerful has been the influence, that no provision was ever made or thought of against the misfortune, because the possibility of its happening was never conceived.

The general and successful resistance of America, the conquest of Burgoyne, and a war with France, were treated in Parliament as the dreams of a discontented Opposition, or a distempered imagination. They were beheld as objects unworthy of a serious thought, and the bare intimation of them afforded the Ministry a triumph of laughter. Short triumph indeed! For every thing which has been predicted has happened, and all that was promised has failed. A long series of politics so remarkably distinguished by a succession of misfortunes, without one alleviating turn, must certainly have something  
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in it systematically wrong. It is sufficient to awaken the most credulous into suspicion, and the most obstinate into thought. Either the means in your power are insufficient, or the measure ill planned; either the execution has been bad, or the thing attempted impracticable; or to speak more emphatically, either you are not able, or Heaven is not willing. For, why is it that you have not conquered us? Who, or what has prevented you? You have had every opportunity you could desire, and succeeded to your utmost wish in every preparatory means. Your fleets and armies have arrived in America without an accident. No uncommon misfortune hath intervened. No foreign nation hath interfered until the time you had allotted for victory was past. The opposition either in or out of Parliament, neither disconcerted your measures, retarded or diminished your force. They only foretold your fate. Every ministerial scheme was carried with as high a hand as if the whole nation had been unanimous. Every thing wanted was asked for, and every thing asked for was granted. A greater force was not within the compass of your abilities to send, and the time you sent it was of all others the most favourable. You were then at rest with the whole world beside. You had the range of every Court in Europe uncontradicted by us. You amused us with a tale of Commissioners of Peace, and under that disguise collected a numerous army, and came almost unexpectedly upon us. The force was much greater than we looked for; and that which we had to oppose it with, was unequal in numbers, badly armed, and poorly disciplined; besides which, it was embodied only for a short time, and expired within a few months after your arrival. We had governments to form; measures to concert; an army to raise and train, and every

necessary article to import or to create. Our non-importation scheme had exhausted our stores, and your command by sea intercepted our supplies. We were a people unknown, and unconnected with the political world, and strangers to the disposition of foreign powers. Could you possibly wish for a more favourable conjunction of circumstances? Yet all these have happened and passed away, and as it were left you with a laugh. They are likewise events of such an original nativity as can never happen again, unless a new world should arise from the ocean.

If any thing can be a lesson to presumption, surely the circumstances of this war will have their effect. Had Britain been defeated by any European power, her pride would have drawn a consolation from the importance of her conquerors; but in the present case, she is excelled by those she affected to despise, and her own opinions, retorting on herself, become an aggravation of her disgrace. Misfortune and experience are lost upon mankind when they produce neither reflection nor reformation. Evils, like poisons, have their uses, and there are diseases which no other remedy can reach. It has been the crime and folly of England to suppose herself invincible, and *that*, without acknowledging or perceiving that a full third of her strength was drawn from the country she is now at war with. The arm of Britain has been spoken off as the arm of the Almighty, and she has lived of late as if she thought the whole world created for her diversion; her politics, instead of civilizing, has tended to brutalize mankind, and under the vain unmeaning title of "*Defender of the Faith*," she has made war like an Indian against the religion of humanity. Her cruelties in the East-Indies will *never, never* be forgotten; and it is somewhat remarkable, that the produce of that ruined country, trans-

transported to America, should there kindle up a war to punish the destroyer. The chain is continued, though with a kind of mysterious uniformity, both in the crime and the punishment. The latter runs parallel with the former; and time and fate will give it a perfect illustration.

Where information is withheld, ignorance becomes a reasonable excuse; and we would charitably hope that the people of England do not encourage cruelty from choice, but from mistake. Their reclusive situation, surrounded by the sea, preserves them from the calamities of war, and keeps them in the dark as to the conduct of their own armies. They see not, therefore they feel not. They tell the tale that is told them, and believe it; and accustomed to no other news than their own, they receive it, stript of its horrors, and prepared for the palate of the nation, through the channel of the London Gazette. They are made to believe that their Generals and armies differ from those of other nations, and have nothing of rudeness or barbarity in them. They suppose them what they wish them to be. They feel a disgrace in thinking otherwise, and naturally encourage the belief from a partiality to themselves. There was a time, when I felt the same prejudices, and reasoned from the same errors; but experience, sad and painful experience, has taught me better. What the conduct of former armies was, I know not; but what the conduct of the present is, I well know. It is low, cruel, indolent, and profligate; and had the people of America no other cause for separation than what the army has occasioned, *that alone* is cause enough.

The field of politics in England is far more extensive than that of news. Men have a right to reason for themselves; and though they cannot contradict the intelligence in the London Gazette, they may frame upon it

what sentiments they please. But the misfortune is, that a general ignorance has prevailed over the whole nation respecting America. The Ministry and the Minority have both been wrong. The former was always so; the latter only lately so. Politics to be executively right, must have a unity of means and time, and a defect in either overthrows the whole. The Ministry rejected the plans of the Minority while they were practicable, and joined in them when they became impracticable. From wrong measures, they got into wrong time, and have now completed the circle of absurdity by closing it upon themselves.

It was my fate to come to America a few months before the breaking out of hostilities. I found the disposition of the people such, that they might have been led by a thread, and governed by a reed. Their suspicion was quick and penetrating, but their attachment to Britain was obstinate, and it was, at that time, a treason to speak against it. They disliked the Ministry, but they esteemed the nation. Their ideas of grievance operated without resentment, and their single object was reconciliation. Bad as I believed the Ministry to be, I never conceived them capable of a measure so rash and wicked as the commencing of hostilities; much less did I imagine the nation would encourage it. I viewed the dispute as a kind of lawsuit, in which I supposed the parties would find a way either to decide or settle it. I had no thought of Independence, or of arms. The world could not then have persuaded me that I should be either a soldier or an author. If I had any talents for either, they were buried in me, and might ever have continued so, had not the necessity of the times dragged and driven them into action. I had formed my plan of life, and conceiving myself happy, wished every body

body else so. But when the country, into which I had but just put my foot, was set on fire about my ears, it was time to stir. It was time for every man to stir. Those who had been long settled, had something to defend; those who were just come, had something to pursue; and the call and the concern was equal and universal. For in a country where all men were once adventurers, the difference of a few years in their arrival could make none in their right.

The breaking out of hostilities opened a new suspicion on the politics of America, which though at that time very rare, has been since proved to be very right. What I allude to is, *a secret and fixed determination in the British Cabinet to annex America to the Crown of England as a conquered country.* If this be taken as the object, then the whole line of conduct pursued by the Ministry, though rash in its origin, and ruinous in its consequences, is nevertheless uniform and consistent in its parts. It applies to every case, and resolves every difficulty. But if taxation or any thing else be taken in its room, then there is no proportion between the object and the charge. Nothing but the whole soil and property of the country can be placed as a possible equivalent against the millions which the Ministry expended. No taxes raised in America could possibly repay it. A revenue of two millions sterling a year would not discharge the sum and interest accumulating thereon, in twenty years.

Reconciliation never appears to have been the wish or the object of Administration; they looked on conquest as certain and infallible, and under that persuasion, sought to drive the Americans into what they might stile a general rebellion, and then crushing them with arms in their hand, reap the rich harvest of a general confiscation, and silence them forever. The dependents at Court were

too numerous to be provided for in England. The market for plunder in the East-Indies was over; and the profligacy of Government required that a new mine should be opened, and that mine could be no other than America conquered and forfeited. They had no where else to go. Every other channel was drained; and extravagance, with the thirst of a drunkard, was gaping for supplies.

If the Ministry deny this to have been their plan, it becomes them to explain what was their plan. For either they have abused us in coveting property they never laboured for, or they have abused you in expending an amazing sum upon an incompetent object. Taxation, as I mentioned before, could never be worth the charge of obtaining it by arms; and any kind of formal obedience which America could have made, would have weighed with the lightness of a laugh against such a load of expence. It is therefore most probable, that the Ministry will at last justify their policy by their dishonesty, and openly declare that their original design was conquest: and in this case, it well becomes the people of England to consider how far the nation would have been benefited by the success.

In a general view there are very few conquests that repay the charge of making them, and mankind are pretty well convinced that it can never be worth their while to go to war for profit sake. If they are made war upon, their country invaded, or their existence at stake, it is their duty to defend and preserve themselves, but in every other light, and from every other cause is war inglorious and detestable. But to return to the case in question.

When conquests are made of foreign countries, it is supposed that the *commerce* and *dominion* of the country which made them are extended. But this could neither be the

The object nor the consequence of the present war. You enjoyed the whole commerce before. It could receive no possible addition by a conquest, but on the contrary, must diminish as the inhabitants were reduced in numbers and wealth. You had the same dominion over the country which you used to have, and had no complaint to make against her for breach of any part of the compact between you and her, or contending against any established custom, commercial, political, or territorial. The country and the commerce were both your own when you began to conquer, in the same manner and form as they had been your own a hundred years before. Nations have sometimes been induced to make conquests for the sake only of reducing the power of their enemies, or bringing it to a ballance with their own. But this could be no part of your plan. No foreign authority was claimed here, neither was any such authority suspected by you, or acknowledged, or imagined by us. What then, in the name of Heaven, could you go to war for? or what chance could you possibly have in the event, but either to hold the same country which you held before, and that in a much worse condition, or to lose, with an amazing expence, what you might have attained without a farthing charge?

War never can be the interest of a trading nation, any more than quarrelling can be profitable to a man in business. But to make war upon those who trade with us, is like setting a bull-dog upon a customer at the shop-door. The least degree of common sense shews the madness of the latter, and it will apply with the same force of conviction to the former. Piratical nations, having neither commerce or commodities of their own to lose, may make war upon all the world, and lucratively find their account in it. But it is quite otherwise with Britain. For

VOL. VII.

besides the stoppage of trade in time of war, she exposes more of her own property to be lost, than she has the chance of taking from others. Some ministerial gentlemen in Parliament have mentioned the greatness of her trade as an apology for the greatness of her loss. This is miserable politics indeed! because it ought to have been given as a reason for her not engaging in war at first. The coast of America commands the West-India trade almost as effectually as the coast of Africa does that of the Streights, and England can no more carry on the former without the consent of America, than she can the latter without a Mediterranean pass.

In whatever light the war with America is considered upon commercial principles, it is evidently the interest of the people of England not to support it; and why it has been supported so long against the clearest demonstrations of truth and national advantage, is to me, and must be to all the reasonable world, a matter of astonishment. Perhaps it may be said that I live in America, and write this from interest. To this I reply, that my principles are universal. My attachment is to all the world, and not to any particular part; and if what I advance is right, no matter where or who it comes from. We have given the Proclamation of your Commissioners a currency in our news-papers, and I have no doubt but you will give this a place in yours. To oblige and be obliged is fair.

Before I dismiss this part of my address, I shall mention one more circumstance in which I think the people of England have been equally mistaken; and then proceed to other matter.

There is such an idea existing in the world as that of *national honour*, and this, falsely understood, is oftentimes the cause of war. In a Christian and philosophical sense, mankind

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seem to have stood still at individual civilization, and to retain as nations all the original rudeness of nature. Peace, by treaty, is only a cessation of violence, not a reformation of sentiment. It is a substitute for a principle that is wanting, and ever will be wanting till the idea of *national honour* be rightly understood. As individuals we profess ourselves Christians, but as nations we are heathens, Romans, and what not. I remember the late Admiral Saunders declaring in the House of Commons, and that in time of peace, "That the city of Madrid laid in ashes was not a sufficient atonement for the Spaniards taking off the rudder of an English sloop of war." I do not ask whether this is Christianity or morality; I ask whether it is decency? Whether it is proper language for a nation to use? In private life we should call it by the plain name of bullying, and the elevation of rank cannot alter its character. It is, I think, exceedingly easy to define what ought to be understood by *national honour*; for that which is the best character for an individual, is the best character for a nation; and wherever the latter exceeds or falls beneath the former, there is a departure from the line of true greatness.

I have thrown out this observation with a design of applying it to Great Britain. Her idea of national honour seems devoid of that benevolence of heart, that universal expansion of philanthropy, and that triumph over the rage of vulgar prejudice, without which man is inferior to himself, and a companion of common animals. To know whom he shall regard or dislike, she asks what country they are of, what religion they profess, and what property they enjoy. Her ideas of national honour seems to consist in national insult; and that to be a great people, is to be neither a Christian, a philosopher, or a gentleman, but to threaten with the rudeness of a bear, and to devour

with the ferocity of a lion. This, perhaps, may sound harsh and uncourtly, but it is too true, and the more is the pity.

I mention this only as her general character. But towards America she has observed no character at all, and destroyed by her conduct, what she assumed in her title. She set out with the stile of *Parent* or *Mother Country*. The association of ideas which naturally accompany this expression are filled with every thing that is fond, tender, and forbearing. They have an energy particular to themselves, and overlooking the accidental attachment of common affections, apply with peculiar softness to the first feelings of the heart. It is a political term which every mother can feel the force of, and every child can judge of. It needs no painting of mine to set it off, for Nature only can do it justice.

But has any part of your conduct to America corresponded with the title you set up? If in your general national character you are unpolished and severe; in this you are inconsistent and unnatural; and you must have exceeding false notions of national honour; to suppose that the world can admire a want of humanity, or that national honour depends on the violence of resentment, the inflexibility of temper, or the vengeance of execution.

I would willingly convince you, and that with as much temper as the times will suffer me to do, that you opposed your own interest by quarrelling with us, so likewise your national honour, rightly conceived and understood, was no ways called upon to enter into a war with America. Had you studied true greatness of heart, the first and fairest ornament of mankind, you would have acted directly contrary to all that you have done, and the world would have ascribed it to a generous cause, besides which; you had (*though with*  
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*the assistance of this country*) secured a powerful name by the last war. You were known and dreaded abroad; and it would have been wise in you to have suffered the world to have slept undisturbed under that idea. It was to you, a force existing without expence. It produced to you all the advantages of real power; and you were stronger through the universality of *that charm* than any future fleets and armies may probably make you. Your greatness was so secured and interwoven with your silence, that you ought never to have awakened mankind, and had nothing to do but to be quiet. Had you been true politicians, you would have seen all this, and continued to draw from the magic of a name, the force and authority of a nation.

Unwise as you were in breaking the charm, you were still more unwise in the manner of doing it. *Samson only told the secret, but you have performed the operation*; you have shaven your own head, and wantonly thrown away the locks. America was the hair from which the charm was drawn that infatuated the world. You ought to have quarrelled with *no* power; but with *her* upon *no* account. You had nothing to fear from any condescension you might make. You might have humoured her, even if there had been no justice in her claims, without any risk to your reputation; for Europe, fascinated by your fame, would have ascribed it to your beneficence, and America, intoxicated by the grant, would have slumbered in her fetters.

But this method of studying the progress of the passions, in order to ascertain the probable conduct of mankind, is a philosophy in politics, which those who preside at St. James's have no conceptions of. They know no other influence than corruption, and reckon all their probabilities from precedent. A new case is to them a new world, and while they

are seeking for a parallel, they are lost. The talents of Lord Mansfield can be estimated at best no higher than those of a sophist. He understands the subtleties, but not the elegance of nature; and by continually viewing mankind through the cold medium of the law, never thinks of penetrating into the warmer region of the mind. As for Lord North, it is his happiness to have in him more philosophy than sentiment; for he bears flogging like a top, and sleeps the better for it. His punishment becomes his support; for while he suffers the lash for his sins, he keeps himself up by twirling about. In politics he is a good arithmetician, and in every thing else nothing at all.

There is one circumstance which comes so much within Lord North's province as a financier, that I am surprized it could escape him, which is the different abilities of the two countries in supporting the expence; for, strange as it may seem, England is not a match for America in this particular. By a curious kind of revolution in accounts, the people of England seem to mistake their poverty for their riches, that is, they reckon their national debt as a part of their national wealth. They make the same kind of error which a man would do, who after mortgaging his estate, should add the money borrowed, to the full value of the estate in order to count up his worth, and in this case he would conceit that he got riches by running into debt. Just thus it is with England. The Government owed at the beginning of this war one hundred and thirty-five millions sterling, and though the individuals to whom it was due, had a right to reckon their shares as so much private property, yet to the nation collectively it was so much poverty. There is as effectual limits to public debts as to private ones; for when once the money borrowed is so great, as to require the whole yearly

yearly revenue to discharge the interest thereon, there is an end to all farther borrowing, in the same manner as when the interest of a man's debts amounts to the yearly income of his estate, there is an end to his credit. This is nearly the case with England, the interest of her present debt being at least equal to one half of her yearly revenue; so that out of ten millions annually collected by taxes, she has but five she can call her own.

The very reverse of this was the case with America; she began the war without any debt upon her, and in order to carry it on, she neither raised money by taxes, nor borrowed it upon interest, but *created* it; and her situation, at this time, continues so much the reverse of yours, that the taxing would make her rich, whereas it would make you poor. When we shall have sunk the sum which we have created, we shall then be out of debt, be just as rich as when we began, and all the while we are doing it, shall feel no difference, because the value will rise according as the quantity encreases.

There was not a country in the world so capable of bearing the expence of a war as America; not only because she was not in debt when she began, but because the country is young, and capable of infinite improvement, and has an almost boundless tract of new lands in store! whereas England has got to her extent of age and growth, and has no unoccupied lands or property in reserve. The one is like a young heir coming to a large improveable estate; the other, like an old man whose chances are over, and his estate mortgaged for half its worth.

In the second number of the *Crisis*,\* which I find has been re-published in England, I endeavoured to set forth the impracticability of conquering

America. I stated every case, that I conceived could possibly happen, and ventured to predict its consequences. As my conclusions were drawn not artfully but naturally, they have all proved to be true. I was upon the spot; know the politics of America, her strength and resources, and by a train of services, the best in my power to render, was honoured with the friendship of Congress, the army, and the people. I considered the cause a just one. I know and feel it a just one, and under that confidence never made my own profit or loss an object. My endeavour was to have the matter well understood on both sides; and I conceived myself rendering a general service, by setting forth to the one the impossibility of being conquered, and to the other the impossibility of conquering. Most of the arguments made use of by the Ministry for supporting the war, are the very arguments that ought to have been used against supporting it; and the plans, by which they thought to conquer, are the very plans in which they were sure to be defeated. They have taken every thing up at the wrong end. Their ignorance is astonishing, and were you in my situation you would see it. They may, perhaps, have your confidence, but I am persuaded they would make very indifferent members of Congress. I know what England is, and what America is, and from this compound of knowledge, am better enabled to judge of the issue, than what the King, or any of his Ministers can be.

In this number I have endeavoured to shew the ill policy and disadvantages of the war. I believe many of my remarks are new. Those which are not so, I have studied to improve and place in a manner that may be clear and striking. Your failure is, I am persuaded, as certain as fate.

\* See Remembrancer for 1777, pages 17 and 85.

America is above your reach. She is at least your equal in the world, and her Independence neither rests upon your consent, nor can be prevented by your arms. In short, you spend your substance in vain, and impoverish yourselves without a hope.

But suppose you had conquered America, what advantage, collectively or individually, as merchants, manufacturers, or conquerors, could you have looked for. This is an object you never seem to have attended to. Listening for the sound of victory, and led away by the phrenzy of arms, you neglected to reckon either the cost or the consequences. You must all pay towards the expence; the poorest among you must bear his share, and it is both your right and your duty to weigh seriously the matter. Had America been conquered, she might have been parcelled out in grants to the favourites at Court; but no share of it would have fallen to you. Your taxes would not have been lessened, because she would have been in no condition to have paid any towards your relief. We are rich by a contrivance of our own, which would have ceased as soon as you became masters. Our paper money will be of no use in England, and gold and silver we have none. In the last war you made many conquests, but were any of your taxes lessened thereby? On the contrary, were you not taxed to pay for the charge of making them, and have not the same been the case in every war?

To the Parliament I beg to address myself in a particular manner. They appear to have supposed themselves partners in the chase, and to have hunted with the lion from an expectation of a right in the booty; but in this it is most probable they would, as legislators, have been disappointed. The cause is quite a new one, and many unforeseen difficulties would have arisen thereon. The Parliament

claimed a legislative right over America, and the war originated from that pretence. But the army is supposed to belong to the Crown, and if America had been conquered through their means, the claim of the Legislature would have been suffocated in the conquest. Ceded or conquered countries are supposed to be out of the authority of Parliament. Taxation is exercised over them by prerogative, and not by law. It was attempted to be done in the Grenades a few years ago, and the only reason why it was not done, was because the Crown had made a prior relinquishment of its claim. Therefore Parliament have been all this while supposing measures for the establishment of their authority, in the issue of which, they would have been triumphed over by the prerogative. This might have opened a new and interesting opposition between the Parliament and the Crown. The Crown would have said that it conquered for itself, and that to conquer for Parliament was an unknown case. The Parliament might have replied, that America not being a *foreign* country, but only a country in *rebellion*, could not be said to be *conquered* but *reduced*; and thus continued their claim by disowning the term. The Crown might have rejoined, that however America might be considered at *first*, she became *foreign* at *last*, by a declaration of Independence and a *treaty with France*; and that her case being, by *that treaty*, put within the law of nations, was out of the law of Parliament. The Parliament might have maintained, that as their claim over America had never been *surrendered*, so neither could it *be taken away*. The Crown might have insisted, that though the claim of Parliament could *not be taken away*, yet being an *inferior*, it might be *superfeded*; and that, whether the claim was withdrawn from the object, or the object taken

taken from the claim, the same separation ensued; and that America being subdued after a treaty with France, was to all intents and purposes a regal conquest, and of course the sole property of the King. The Parliament, as the legal delegates of the people, might have contended against the term "*inferior*," and rested the case upon the antiquity of power, and this would have brought on a set of interesting and rational questions.

First, What is the original fountain of power and honour in any country?

Secondly, Whether the prerogative does not belong to the people?

Thirdly, Whether there is any such thing as the English constitution?

Fourthly, Of what use is the Crown to the people?

Fifthly, Whether he who invented a Crown was not an enemy to mankind?

Sixthly, Whether it is not a shame for a man to spend a million a year and do no good for it, and whether the money might not be better applied?—With a number of others of the same import.

In short, the contention about the dividend, might have distracted the nation; for nothing is more common than to agree in the conquest, and quarrel for the prize; therefore it is, perhaps, a happy circumstance that our successes have prevented the dispute.

If the Parliament had been thrown out in *their* claim, which it is most probable they would, the nation likewise would have been thrown out in *their* expectation; for as the taxes would have been laid on by the Crown, without the Parliament, the revenue arising therefrom, if any could have arose, would not have gone into the Exchequer, but into the Privy Purse; and so far from lessening their taxes, would not even

have been added to them, but served only as pocket money to the Crown. The more I reflect on this matter, the more I am astonished at the blindness and ill policy of my countrymen, whose wisdom seems to operate without discernment, and their strength without an object.

To the great bulwark of the nation, I mean the mercantile and manufacturing part thereof, I likewise present my address. It is your interest to see America an independent country, and *not* a conquered one. If conquered, she is ruined; and if ruined, poor, consequently the trade will be a trifle, and her credit doubtful. If independent, she will flourish, and from *her flourishing* must *your profits* arise. It matters nothing to you who governs America, if your manufactures find a consumption there. Some articles will consequently be obtained from other places, and right they should, but the demand of others will increase by the great influx of inhabitants which a state of independence and peace will occasion, and on the final event you may be enriched. The commerce of America is perfectly free, and ever will be so. She will consign away no part of it to any nation. She has not to her friends, and certainly will not to her enemies; though it is probable that your narrow minded politicians, thinking to please you thereby, may some time or other make such an unnecessary proposal. Trade flourishes best when it is free, and it is weak policy to attempt to fetter it. Her treaty with France is on the most liberal and generous principle, and the French in their conduct towards her, have proved themselves to be philosophers, politicians, and gentlemen.

To the Ministry I likewise address myself. You, gentlemen, have studied in the ruin of your country, from which it is not within your abilities to rescue her. Your attempts to recover are as ridiculous as your plans which

which involved her are detestable. The Commissioners being about to depart, will probably bring you this, and with it my sixth number to them; and in so doing, they carry back more *Common Sense* than they brought, and you likewise will have more than when you sent them.

Having thus addressed you severally, I conclude by addressing you collectively. It is a long lane that has no turning. A period of sixteen years of misconduct and misfortune, is certainly long enough for any nation to suffer under; and upon a supposition that war is not declared between France and you, I beg to place a line of conduct before you, that will easily lead you out of all your troubles. It has been hinted before, and cannot be too much attended to.

Suppose America had remained unknown to Europe till the present year, and that Mr. Banks and Dr. Solander, in another voyage round the world, had made the first discovery of her, in the self same condition she is now in of arts, arms, numbers and civilization. What I ask in that case, would have been your conduct towards her, for *that* will point out what it ought to be now? The problems and their solutions are equal, and the right line of the one, is the parallel of the other. The question takes in every circumstance that can possibly arise. It reduces politics to a simple thought, and is moreover a mode of investigation, in which, while you are studying your interest, the simplicity of this case will cheat you into good temper. You have nothing to do but to suppose you have found America, and she appears found to your hand, and while in the joy of your heart, you stand still to admire her, the path of politics rises straight before you.

Were I disposed to paint a contrast, I could easily set off what you

have done in the *present case* against what you *would have done* in *that case*, and by justly opposing them, conclude a picture that would make you blush. But as when any of the prouder passions are hurt, it is much better philosophy to let a man slip into a good temper than to attack him in a bad one; for that reason, therefore, I only state the case, and leave yourselves to reflect upon it.

To go a little back into politics, it will be found, that the true interest of Britain lay in proposing and promoting the Independence of America immediately after the last peace; for the expence which Britain had then incurred by defending America as *HER OWN DOMINIONS*, ought to have shewn her the policy and necessity of changing the *style* of the country, as the *best* probable method of preventing future wars and expence, and the *only* method by which she could hold the commerce without the charge of sovereignty. Besides which, the title she assumed of *Parent Country* naturally led to, and pointed out, the propriety, wisdom and advantage of a separation; for as in private life children grow into men, and by setting up for themselves extend and secure the interest of the whole family, so in the settlement of colonies large enough to admit of maturity, the same policy should be pursued, and the same consequences would follow. Nothing hurts the assertions both of parents and children so much, as living too closely connected, and keeping up the distinction too long. Domineering will not do over those, who by a progress in life are become equal in rank to their parents, that is, when they have families of their own; and though they may conceive themselves the objects of their advice, will not suppose themselves the objects of their government. I do not, by drawing this parallel, mean to admit the title

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of *Parrus Country*; because, if due any where, it is due to Europe collectively, and the first settlers from England were driven here by persecution. I mean only to introduce the term for the sake of policy, and to shew from your rule, the line of your interest.

When you saw the state of strength and opulence, and that by her own industry, which America had arrived at, you ought to have advised her to have set up for herself, and proposed an alliance of interest with her, and in so doing, you would have drawn, and that at her *own* expence, more real advantage, and more military supplies and assistance, both of ships and men, than from any weak and wrangling government you could exercise over her. In short, had you studied only the domestic politics of a family, you would have learned how to govern the State; but instead of this easy and natural line, you flew out into every thing which was wild and outrageous, till by following the passion and stupidity of the pilot, you wrecked the vessel within sight of the shore.

Having shewn what you *ought to have done*, I now proceed to shew the reason why it was *not done*. The caterpillar circle of the Court, had an interest to pursue distinct from, and opposed to yours; for though by the Independence of America and an alliance therewith, the trade would have continued if not increased, as in many articles neither country can go to a better market, and though by defending and protecting herself, she would have been no expence to you, and consequently your national charges would have decreased, and your taxes might have been proportionably lessened thereby, yet the striking off so many places from the Court Calendar was put in opposition to the interests of the nation. The loss of thirteen governmentships, with their appendages here and in

England, is a shocking found to the ear of an hungry Courtier. Your present Ministry will be the ruin of you; and you had better

than be thus led on from madness to despair, and from despair to ruin. America has set you the example, and may you follow it and be free.

I now come to the last part, *a war with France*. This is what no man in his senses will advise you to, and all good men would wish to prevent. Whether France will declare war against you, is not for me in this place to mention or hint, even if I knew it, but it must be madness in you to do it first. The matter is now come to a *full crisis*, and peace is easy, if willingly set about. Whatever you may think, France has behaved handsomely to you. She would have been unjust to herself to have acted otherwise than she did; and having accepted our offer of alliance, she gave you gentle notice of it. There was nothing in her conduct reserved or indelicate, and while she announced her determination to support her treaty, she left you to give the first offence. America, on her part, has exhibited a character of firmness to the world. Unprepared and unarmed, without form of government, she singly opposed a nation that domineered over half the globe. The greatness of the deed demands respect; and though you may feel resentment, you are compelled both to **WONDER** and **ADMIRE**.

Here I rest my arguments, and finish my address. Such as it is, it is a gift, and you are welcome. It was always my design to dedicate a *Crisis* to you, when the time should come that would properly *make it a Crisis*; and when, likewise, I should catch myself in a temper to write it, and suppose you in a condition to read it. *That time is now arrived*, and with it, the opportunity of conveyance.

ance. For the Commissioners—*poor Commissioners!*—having proclaimed, that “*yet forty days and Nineveh shall be overthrown,*” have waited out the date, and discontented with their God, are returning to their goate. And all the harm I wish them is, that it may not *wisber* about their ears, and that they may not make their exit in the belly of a Whale.

## COMMON SENSE.

Philadelphia, Nov. 11,

1778.

P. S. Though in the tranquillity of my mind I have concluded with a laugh, yet I have something to mention to the Commissioners, which to them is serious and worth their attention. Their authority is derived from an Act of Parliament, which likewise describes and limits their official powers. Their commission, therefore, is only a recital, and personal investiture of those powers, or a nomination and description of the persons who are to execute them. Had it contained any thing contrary to, or gone beyond the line of, the written law from which it is derived and by which it is bound, it would, by the English Constitution, have been treason in the , and the been subject to an impeachment. He dared not, therefore, have put in commission what you have put into your Proclamation, that is,

authorized you in that commission to burn and destroy, any thing in America. You are both in the Act and in the Commission styled “*Commissioners for restoring peace,*” and the methods for doing it are there pointed out. Your last Proclamation is signed by you as Commissioners under that Act. You make Parliament the patron of its contents. Yet in the body of it, you insert matters contrary both to the spirit and letter of the Act, and what likewise dared not to have put in commission to you. The state of things in England, Gen-  
VOL. VII.

tlemen, is too ticklish for you to run hazards. You are accountable to Parliament for the execution of that Act according to the letter of it. Your may pay for breaking it; for you certainly have broke it, by exceeding it: And as a friend who would wish you to escape the paw of the Lion, as well as the belly of the Whale, I civilly hint to you to keep within compass.

Sir Henry Clinton, strictly speaking; is as accountable as the rest; for though a General, he is likewise a Commissioner, acting under a superior authority. His first obedience is to the Act; and his plea of being a General, will not and cannot clear him as a Commissioner; for that would suppose the Crown, in its single capacity, to have a power of dispensing with an Act of Parliament. Your situations, Gentlemen, are nice and critical, and the more so, because England is unsettled. Take heed! Remember the times of Charles the First! For Laud and Strafford fell by trusting to

Having thus shewn you the danger of your Proclamation, I now shew you the folly of it. The means contradict the design. You threatened to lay waste, in order to render America a useless acquisition of alliance to France. I reply, that the more destruction you commit (if you could do it) the more valuable to France you make that alliance. You can destroy only houses and goods; and by so doing, you encrease our demand upon her for materials and merchandize; for the wants of one nation, provided it has FREEDOM and CREDIT, naturally produces riches to the other; and as you can neither ruin the land, nor prevent the vegetation, you would encrease the exportation of our produce as payment, which to her would be a new fund of wealth. In short, had you cast about for a plan on purpose to enrich your enemies, you could not have hit upon a better.

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From



From the South Carolina GAZETTE.

A LETTER, &c.

Sir,

You desire to know what I think of the treaty of alliance between the Court of France and the United States. I answer, that I am much delighted with it; and figure to myself the utmost possible felicity to our country, from that most auspicious event.

But you say, would not an alliance between the Court of Britain and America have been more natural and more beneficial to us upon the account of the sameness of our language, customs, laws, and religion. I answer in the negative, and for the following reasons:

The wisest civilians and legislators lay it down as a maxim, that when nations form alliances with each other, they should be with those who are as unlike themselves as possible in religion, laws, manners, and government. It is in this manner only that a national character can be preserved, and this is absolutely necessary to preserve national rank or independence. Let us now suppose, that Great Britain had acknowledged our independence, and entered into a treaty with us, as equal and honourable as the treaty by which we are bound to France, what would have been the consequence? From our ancient attachment to Great Britain, and old prejudices in her favour, we should gradually have conformed to her in every thing. We should, in a little while, have preferred the pomp of her national religion, to the simple and independent modes of church government, which now prevails among all denominations of Christians in America. Many of her laws, which are the result of combinations among the rich against the poor, would gradually have been incorporated with the more equal and just laws of our States. Her government so perfect in theory, but so corrupt in practice,

would have been extolled above our simple republics, and advocates would not have been wanting for the pageantry of kingly power among us. Our manners would, moreover, have been in danger, from an alliance with Great-Britain. Her pride, her luxury, her Asiatic amusements, her *fetes champetres*, her *meschanzas*, and all her train of national, domestic, and private vices, would have insinuated themselves among us, and destroyed all that republican simplicity, industry and virtue, both public and domestic, which have been introduced into our country, by the present glorious struggle for liberty. But further—The injuries America has received from Great-Britain, as a nation, ought never to be forgiven. The spirit of Christianity bids us forgive individuals who injure us, because there are laws and magistrates to prevent a repetition of such injuries. But this is not the case when nations injure each other. There is no great tribunal of national justice, nor is there any spot appropriated for national punishments, retaliation steps in therefore to supply the place of both. This is the instrument in the hand of God, of preserving the balance of empires, and of maintaining his justice and sovereignty in the world. A nation is bound therefore to avenge itself for injuries received from a nation, as much as it is bound to preserve its own existence.

This being the case, how great is the debt of hatred, America owes to Great-Britain, for her injustice and inhumanity, in the beginning, and progress of this unjust and unprovoked war?

Now, an alliance with Great-Britain would have cancelled this debt, and the enormous load of guilt she has contracted in the course of the war, would have escaped with impunity.

We have nothing to fear for our religion, laws, manners, and governments,

ments, from our alliance with the Court of France; for as we have been educated in prejudices against the religion, laws, and government of France, the most intimate union with that Court cannot alter our opinion of them. Even their manners (so wholly unlike our own) will never find such a footing among us, as to be dangerous to the simple manners of our republics.

You speak in your letter with some dread of the consequences to Protestantism from our alliance with France. But what have we to fear from an alliance *only* with a Catholic power? a power too which has lately distinguished itself for its moderation towards Protestants? How infinitely better is our situation, in this *equal alliance* than in a *mean dependence* upon a Protestant power, that has lately distinguished itself, by *establishing* the Popish religion throughout a province, the largest in America.

Who knows what mighty events are in the womb of Providence? Perhaps, our alliance with France may prove, hereafter, the means of introducing liberty, and the Protestant religion into that country, in exchange for the protection and independence she has afforded to this. Perhaps the light which has been kindled upon the altar of Liberty in America, may enlighten all Europe, through the medium of France, in the knowledge of the rights of mankind. The thought of these things is delightful, and adds much to the pleasure I take in contemplating the freedom, independence, and alliance of our country.

My last reason for preferring an alliance with France to an alliance with Great-Britain, is derived from the resources of France and America. France abounds in materials for a large army, and America abounds in materials for a large navy. The former will protect us from all future invasions from Europe, while the lat-

ter will, in time, form a balance in conjunction with France, for the overgrown power of Great-Britain on the ocean. Thus both empires will enjoy peace, security, and independence. The case would have been otherwise, in an alliance with Great-Britain. It would have been her interest to have stopped the growth of our navy, and in case of a war with any power in Europe, what succours could she have afforded us? The artificial and unnatural aid of Hessians, Waldeckers, &c. we now know is no security against enemies who fight from an attachment to soil or government.

While Great-Britain was the bulwark of the freedom of Europe, every good man rejoiced in the greatness of her navy. But since Britain has become the persecutor of liberty, and filled the East and West with her oppressions, all her enemies must exult in the prospect of those canvass wings being clipt, which have conveyed her power to the ends of the earth. The strength of Britain, united with the resources of America, and directed by the politicks of a late Great Minister, might have commanded the world. But British dignity and Lord Chat-ham are now no more!

*Philadelphia, November 12.  
In General Assembly of Pennsylvania,  
Tuesday, November 10, 1778.*

The Committee appointed for that purpose brought in a draught of resolves, expressive of the sense of this House, respecting the Manifesto and Proclamation of the British Commissioners, which being read and considered by paragraphs, was unanimously agreed to, as follows:

The House having taken into their consideration a Manifesto and Proclamation of the British Commissioners, dated at New-York the third day of October last, signed "Carlisle, H. Clinton, Wm. Eden," came to the following unanimous resolutions, viz.

1st. That the assertion contained

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in the said Manifesto and Proclamation, of the Honourable Congress having no authority to reject the propositions which were made to them by the said Commissioners without a previous consultation of the respective Assemblies, either manifests an insidious design of dividing and disuniting the powers of Congress, or betrays an ignorance of the trust which the people of these United States reposed in that Honourable body, and of the powers with which they are vested.

2. That every part of the transactions of Congress with or relating to the British Commissioners, is most thoroughly approved of and applauded by this House. That the House rejects with indignation the said Manifesto and Proclamation; and will treat with the utmost contempt every offer which can be made to seduce them from their independence and their alliance with France.

Extract from the Minutes,

JOHN MORRIS, junior,  
Clerk of General Assembly.

To the Earl of CARLISLE, Sir  
HENRY CLINTON, and WILLIAM  
EDEN, Esq.

Your Excellencies Proclamation and Manifesto of the 3d of October, is the subject of my present amusement. You were commissioned for the sole purpose of *amusing* the Americans, and it must be confessed, even by your greatest enemies, that you have acted your parts in a masterly manner: the American nation are not a little obliged to your Excellencies for the *diversion* you have afforded them. This very entertaining Manifesto of yours, is addressed to the Members of Congress, the Members of the General Assemblies or Conventions of the several States in the union, and to all others, free inhabitants of those States; and therefore it naturally follows, that I may with propriety address myself to

your Excellencies in return. I would not for the world omit shewing "a just regard to the characters you bear."

You are pleased to say, that "having amply and repeatedly made known to Congress, and having also proclaimed to the inhabitants of North-America in general, the benevolent overtures of Great Britain towards a union and coalition with her Colonies, you do not think it consistent, either with the duty you owe to your country, or with a just regard to the characters you bear, to persist in holding out offers, which in your estimation required only to be known to be most gratefully accepted." I must confess to your Excellencies, that I think this sentence is full of dignity and elegance; it corresponds "with the duty you owe to your country, and with a just regard to the characters you bear." It was not possible for me to conceive, that while you were laying down this idea, that you were resolved "to persist in holding out offers" to Congress and the inhabitants of North-America, which they had treated with the most sovereign contempt. But in a moment, your Manifesto convinced me, it was drawn up for the very purpose which it reprobated in the most pointed terms. Your Excellencies are happy in being possessed of a facility in reconciling to yourselves ideas, which to the rest of the world appear utterly irreconcilable. Great poets are not confined by rules; and your Excellencies shew us, that great politicians are equally exempted.

You "again declare" to Congress those offers which they have repeatedly rejected as absolutely inadmissible. Could your Excellencies flatter yourselves, that because you persisted in renewing your offers, that therefore Congress would accept them! It is true, some gallants have wooed in this manner with success, the fair being

being too gentle to resist such importunities; but the materials you are at work upon, are rather of a firmer nature. Look through the proceedings of Congress, and say whether you have found an instance of their receding from a declared determination. On the contrary, those proceedings must have convinced you, that for you "to persist" in renewing your offers, is to shew the world, that you are resolved to throw away your time. I shall say nothing with respect to the offers you repeat to Congress, nor to your assertion that Congress were not authorized to reject your offers, or to refer you to foreign treaties, which, though real, you are pleased now to call "pretended:" enough has been said on those subjects in several letters to your Excellencies; nor do I think it consistent with a just regard to the character I bear, now to persist in repeating those arguments which fully pointed out the insidious nature of those offers, and the falsity of those assertions. But, as to your invitation to the General Assemblies separately, I must say it would be too dangerous an expedient for them to trust to, even were they disposed to relinquish their independence. And, as to your invitation to the free inhabitants individually, this is yet more exceptionable than the last. It is not by such very partial negotiations, that a people are to force Britain to yield them important national advantages. And this must be obvious to every man, because during the whole course of this dispute, Britain has never been disposed to yield a single point, but when she lay under the edge of the sword of America. If then the combined wisdom and power of America is but adequate to the task of forcing Great Britain to yield important national advantages to America, can your Excellencies really think, the General Assemblies separately, and the people

individually, are so simple, as to be manifested by your Excellencies into a belief, that they can procure the same advantages by a disunion of counsel and of force!

"It has not been," you say, "nor is it your wish to seek the objects which you are commissioned to pursue, by fomenting popular divisions and partial cabals." "But it is both your wish and your duty," you add, "to encourage and support any men or bodies of men in their return of loyalty to your Sovereign." Now if this is not a declaration of your wish to foment popular divisions and partial cabals, I know not what can be; and if your Manifesto was not sent abroad for those purposes, I am at a loss to conceive for what purposes it was issued. You declare, you "think such conduct would be ill suited to the generous nature of the offers made, and unbecoming the dignity of the King and the State which makes them;" but you do not scruple, at the same instant, to act diametrically contrary to your declaration "amply made known." By your conduct you clearly advise us to place no confidence in what you say, and yet you go on proclaiming.

Your Excellencies tell us, that, "if there are any who think," "the Independence of these" States, "will in the result, be acknowledged by Great Britain, to them you answer without reserve, that you neither possess or expect powers for that purpose; and that if Great Britain could ever have sunk so low as to adopt such a measure, you should not have thought yourselves compellable to be the instruments in making a concession" of Independence. Here are many words, let us see what they amount to.

There was no occasion for your Excellencies to take the trouble to acquaint us, that you do not possess powers authorising you to acknowledge our Independence; because the

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Act of Parliament, on which your commission is founded, had long ago fully informed us upon that point: Whether you expect such powers, is of but little moment. Because you do not expect to receive such powers, it does not therefore follow, that such powers will not be placed in the hands of other persons. The British Commanders in Chief have been changed; and so may the British Commissioners, and for the same cause, the want of success. We see these things, and we then see how idle it is for your Excellencies to endeavour to give to a very trifle, an air of importance. But you add, if you had received such powers, you should not have thought yourselves compellable to be the instruments in making a concession of independence. It is true, nothing can be more legal than your opinion, that you would not have been compellable. But it is not in the least probable, that men, as your Excellencies, who have long been used to obey the direction of their superiors, and who voluntarily submitted to engage in a business, in which others expressly reserved to themselves a power to disown all their important contracts, and to destroy all their labours, I say, it is not very probable such men would be very scrupulous about being the instruments in making a concession of independence to America. However, I need not press this point; you have not said, that you *would not* be the instruments, you have only said, you were not *compellable*. When profound Statesmen, as your Excellencies, are concerned in their expressions, they always have an important reservation. I therefore admit your *dictum* upon the subject of compulsion, and give you credit for what you mean; nor can your Excellencies desire that I should do more.

You have declared that your Manifesto and Proclamation shall continue in force "*forty days*;" and that,

except Sir Henry Clinton, you have "resolved to return to England a few weeks after the date" of it. And this is a very explicit declaration, that you despair that your Manifesto will be attended with success; it is perfectly decisive. If you expected success, you must have been sensible that success would have required your stay in America several months; but by limiting yourselves to "*a few weeks*," and forty days are near six, you demonstrate in the most unequivocal manner, that you absolutely despair of success. The Americans have withstood your most violent efforts to subdue them, and now even the timid Whigs and Tories must be too prudent to submit to you; when having seen the British power in America broken; they now hear you tell them, you despair, they will do as you advise. This last stroke of your Excellencies, is truly a masterly stroke in politicks.

Until the publication of your inimitable Manifesto, we had yet to learn, that "the policy, as well as the benevolence of Great Britain have thus far checked the extremes of war, when they tended to distress a people still considered as your fellow subjects, and to desolate a country shortly to become again a source of mutual advantage." For America then had in her eye, the ruins of Charles-town, Falmouth, Norfolk, Esopus, Borden-town, Warren, Bristol, and Bedford; and the desolations about Philadelphia, on the banks of Hudson's River, in Wyoming, German Flatts, in Jersey, in Rhode-Island—a mournful and wanton scene of destruction! America had at that moment also deeply impressed in her mind, the agonies of her sons in the prisons and prisonships at New-York, where many hundreds died of hunger, cold, suffocation, and filth, after having endured the most taunting, pointed, and continued insults of their keepers. The wife

wife who appeared at the prison door, with a morsel of bread and a blanket for the wretch within, was beat down with a musquet. The officer on the part of America was prevented from furnishing the prisoners with food and raiment. In the morning the prisoners were supplied with water in those very tubs, which were but just emptied of the excrements with which they had filled them during the night. Great Britain has infligated the savages to massacre men, women, and children. Her troops have refused to grant quarter in innumerable instances. The venerable General Mercer died of the wounds he received after he fell and was made prisoner upon the field of battle, as did Lieutenant Lang, who received no less than nineteen bayonet wounds after he had fallen. I write not at random: I minutely know these transactions, which with many others of a similar nature, will by authority be published to the world by affidavits. [See page 294.] Your Excellencies, Sir Henry Clinton excepted, may be strangers to these horrid enormities, but they are true. They call down the vengeance of Heaven upon your nation: that vengeance is now shaking your nation to the very centre; she feels the dreadful effects, and trembles in despair.

It is no less pleasant than useful, now and then, to look into history, and see in what manner men in your and our circumstances spoke and acted. The allegiance of Great Britain was in the year 1688 withdrawn from James the Second, because he invaded their laws and fundamental Constitution. The allegiance of America in the year 1776 was

for the same reasons. As long as King James thought he could recover his throne by force of arms, so long he spoke in the loftiest tone—Executioners were to be the avengers of his wrongs: and in like manner, as long

as the Ministry of Great Britain thought they were able to conquer America, so long they demanded an unconditional submission from America. In the year 1692, all King James's hopes of seizing the throne were blasted, and on the 17th of April following, he issued a declaration, professing that he desired "rather to be beholden to his subjects love to him, than to any other expedient whatever, for his restoration:" promising that he would be "ready to redress all their grievances, and give all those securities of which they should stand in need," if they would submit to his authority. So in the year 1777, the British Government having lost a complete army, finding they had not an ability to supply the men and money necessary to carry on the war, and losing all hopes of conquest, on the 13th of April following they appointed Commissioners to go out and talk to us about, "cordial reconciliation," of restoring "free intercourse," and reviving "mutual affection; and to promise us "the irrevocable enjoyment of every privilege that is short of a total separation of interests," provided we would consent to return to a subjection under the Crown of Great Britain. It is curious to observe how exactly parallel the two cases are.

There was a sensible Whig "answer to the late King James's last declaration." I beg leave to shew your Excellencies in what light the people of England in that day considered an invitation to return to a cast off Monarch. The writer of the answer says, "I challenge all the late King's declaration-makers, to give me but one single instance from history, that ever a free people, who from a just and recent sense of an invasion upon their laws and fundamental Constitution, had withdrawn their allegiance from him, did ever afterwards willingly and tamely submit to his government again. No, there is not one

one instance of this kind, in all the records of time; for, though scarce one age has passed without some remarkable revolution in kingdoms and states, yet a thing of this nature was never yet heard of since the world was." "But to submit the dearest and most sacred things, that a man can possess on earth, the liberties; laws, and fundamental Constitutions of his country, all that either he or his children after him can call or wish their own; to submit all these, I say, to a few feeble promises of one that has broke to us much more solemn ones before, were a madness that never a nation under Heaven was yet guilty of. As it is the easiest thing in the world to promise largely, when a man finds it his interest to do so; so it is ordinarily the last refuge weak minds have recourse to; when all other means of compassion or persuasion fail. But at the same time, he that threatens highly, when he thinks he has power in his hands to make his threats good, and comes thereafter to cajole with soft promises of good treatment, when that power is gone, one must divest himself of common sense, if he believe that that man's mind is really changed for the better, and does not ascribe the change of his manner of treating with us to the change of his fortune."

Such were the sentiments of the people of England upon King James's declaration: they are my sentiments; and I believe your Excellencies are convinced, they are the sentiments upon the same subject, of that part of the inhabitants of America, who have broken the force of Britain, and are able to maintain the Independence of their country.

Judge then of the contempt with which we receive your threats, that if we persist in our Independence, the question with you is, "How far Great Britain may by every means in her power destroy" America. Such a declaration on your part, does no

honour to your masters, to your nation, or to yourselves. It is an outrage upon humanity. It is a proof of a narrow and base mind. But your Excellencies will do well to foresee, that in case your threat shall be begun to be carried into execution, that then it will be a question with us, how far we shall hold General Burgoyne's army responsible for the effects of your fury. I warn you, that as you burn our towns, so shall I urge to decimate your legions. I say thus much, rather to shew you that we have the means of retaliation in our hands, than because I apprehend you will drive us into such a measure. You have all along endeavoured to bully us; an old custom is not easily laid aside, and therefore you continue to threaten. God has raised us to independence, and we rest assured that Britain cannot deprive us of it. You have tried the art of persuasion, and Governor Johnstone has attempted the art of corruption, to induce us to relinquish our independence. Your arts have failed, your force has failed, and we are not yet, and I trust never will be, quite so mad as to compliment Great Britain with our obedience.

WILLIAM HENRY DRAYTON.  
*Philadelphia, October 24, 1778.*

*New-York, 28th Sept. 1778.*

Having received the following letter from Governor Johnstone at his departure for England, I think it my duty to fulfil his intention by publishing it for the satisfaction of those who may desire to know the reasons that have induced him to suspend any particular discussion of the charge on which a late resolution of the Congress, respecting himself is founded. The intimation contained in this letter will, in the mind of every person in any degree acquainted with his character, have its proper effect; although I am, both by his injunctions,

injuncti<sup>o</sup>ns, and by the consideration  
he mentions, restrained at present,  
from giving any particular account  
of the evidence intrusted to me.

ADAM FERGUSON.

Dear Sir,

I leave in your possession compleat,  
indisputable evidence, that no act of  
mine, by word, writing, message or  
conversation, with any person what-  
soever, could have been conceived by  
the Member of Congress, Joseph  
Reed, Esq: previous to the 19th of  
July last, as an attempt, or as having  
a tendency, in any manner whatso-  
ever, to corrupt his integrity.

A regard to the faith of private  
communications, and an attention to  
the peace and safety of innocent in-  
dividuals, under the horrid cruelties  
that are daily exercised to maintain  
the present system of Government  
by the Congress and Committees,  
restrain me from making this and  
other evidence public. But when the  
time shall arrive that may render  
such communications proper, I am  
persuaded the world will applaud my  
self-denial in refusing myself the sa-  
tisfaction of publishing so compleat a  
refutation of the aspersions attempted  
to be thrown on my character by the  
resolutions of the Congress, founded  
on a species of testimony that could  
not affect me, upon any rule of evi-  
dence, or any fair construction of  
language.

Another matter I wish the world  
to know is, that I do not return to  
England on account of that proceed-  
ing of Congress. The other Com-  
missioners, as well as you and all  
persons with whom I have lived in  
any degree of intimacy here, and all  
my correspondents in England, are  
sufficiently acquainted, that I had  
determined to return to London by  
the meeting of Parliament, to give my  
voice and opinion against yielding to  
the claim of Independency, long  
before any such resolves of the Con-

VOL. VII.

gress had passed. I am, with esteem  
and affection, your sincere friend,

GEORGE JOHNSTONE.

New-York, 22d September, 1778.

*Adam Ferguson.*

*Letter from Major TALBOT to Major-  
general SULLIVAN, Stoning-town,  
October 29, 1778.*

Dear General,

The Sunday that I sailed from  
Providence with the troops you put  
under my command, I got no further  
than the Rocky Island for want of  
wind. The next day I got through  
Bristol ferry to Mount Hope. Wed-  
nesday at ten o'clock at night made  
sail, run down through Howland's  
ferry, in order to attack the schooner  
Pigot—when I came to Fogland  
ferry, I hawled down all my sails,  
and let her drift through the ferry  
under her bare poles, for fear of the  
fert on Rhode-Island firing upon us,  
and giving the alarm to the schooner  
I intended to attack; it had the  
desired effect, I sailed through undis-  
covered; at half past one A. M. got  
sight of the schooner Pigot, but a  
small distance from her was hailed  
by her, and fired upon by her marines  
from the quarter deck, but reserved  
our fire till we had run our jibb boom  
through her fore shrouds, then threw  
in such a volley of musketry, loaded  
with bullets and buck shot, and some  
cannon, that the seamen that were  
on deck immediately run below beg-  
ging for quarters, and them that  
were below never made their appear-  
ance upon deck—the consequence of  
which was, my men run out upon  
our jibb boom and boarded her with-  
out the loss of a man—we came to  
sail with her and run into this har-  
bour, where my men are all landed,  
and on their march to Providence, in  
good health. The Pigot mounted  
eight twelve pounders, had forty-five  
men on board, their nettings were  
eight feet higher than our gunnel.

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The



The Captain of the *Pigot* behaved with the greatest resolution, and defended the sides of his vessel in his shirt and drawers for some time, without a single soul of his crew to assist him. My men behaved all well—Lieutenant Helms, of Colonel Topham's regiment, behaved with the greatest spirit, and was the first man on board. I have the honour to be, your most obedient humble servant,

SILAS TALBOT.

To Major-general Sullivan.

General Sullivan says she also mounts an eighteen or twenty-four pounder in the prow.

In Congress, November 7, 1778.

Ordered, That the letter from Major Talbot to General Sullivan be published.

CHARLES THOMSON, Secy.

To his Excellency Sir HENRY CLINTON, Knight of the Bath, Commander in Chief of all the British forces in America, from Nova Scotia to West Florida, and one of the Commissioners for quieting disorders, &c. &c. &c.

Your Excellency, upon reading Major Talbot's letter, must, notwithstanding all your haughtiness, applaud that brave young officer, and tender homage to American magnanimity.

A people who, as we, have seen their fellow citizens so often massacred in cold blood, who have seen such refinements of cruelty practised upon American captives reserved for still more deliberate murder; might justly have pursued a vengeance, if it be possible, beyond retaliation—but, Sir Harry, although our malignant enemies have taught us to conquer, we have not learned to imitate their barbarities. A suppliant prisoner disarms the generous American soldiery; these are content to deprive their foes of the means of injuring them. Compare, Sir Harry, the conduct of the

gallant Talbot with that of your British officers on similar occasions under your direction, as well as under the command of your predecessor, another Knight of the *crimson Bath*.

If your repeated massacres in former campaigns, and the horrid spectacle of Lacey's wounded militia men, smothered and burnt in straw, had been forgotten, the recent butchery of Col. Baylor's light horse and some of Polaski's legion would revive them, and add new provocatives for revenge.

The stale excuse for your repeated barbarous murders, "*that carnage is inevitable in surprizes and nocturnal attacks*," is once more confronted to your disgrace.

We have more than once, for surely we have not lost sight of Trenton and the 26th of December we have more than once, I say, Sir Harry, shewn you that we can effect complete surprizes, avail ourselves of midnight darkness, and that we can spare—hear Baylor's officers and men unarmed, unclad, cry *quarter! quarter!*—O horrible! hear your officers command the less sanguinary soldiers, "*skiver them*," "*finish them*," "*take another spell at them*."—Behold the generous American, master of the *Pigot's* deck, having your soldiers impounded, call to them, "*come up my lads, one by one, unarmed, you shall have good quarter.*"—Admire Talbot giving due praise to his vanquished enemy, "*the Captain of the Pigot behaved with the greatest resolution, and defended the sides of his vessel for some time in his shirt and drawers, without a single soul of his crew to assist him.*" What! not an officer with him? No! not one: all, all sunk below. Was this the effect of rank cowardice? Not so; the ghosts of Baylor's, Lacey's, Wayne's butchered men, and of the hundreds more which had been in their own sight poisoned, starved and smothered in the provosts and prison ships, rush-

ed into the view of these drudges in blood, and cried upon their minds RETALIATION, " *it is midnight,*" " *you are surprized.*"

I will not be so invidious as to suppose that feeling national guilt and dreading consequences, the Captain fought like a desperado. You must pardon me, Sir Harry, if, when I reflect on these things and upon the threats in your late despicable Manifesto, I call British courage, in the present contest, into question, it appears to me, that you do not think yourselves safe while a yeoman of America lives.

The generous forbearance of Congress, the humanity of the Commander in Chief of the American forces, and the characteristick sensibility of our people in general, have hitherto restrained us from measures which would have been sanctioned by your conduct, and warranted by the law of self-defence.

Conscious of our motives, we have heard with disdain our tenderness ascribed to pusillanimity. But, Sir Harry, take heed! I now see a Manifesto under the authority of Congress, it contains, indeed, no menaces of retaliation for *what is past*—the first advantage since the publication of that paper has been on the side of America, you have seen what use has been made of it—but remember, if you give another proof of your degeneracy from those sentiments which is the boast of civilized nations, we shall be obliged to bring you to a sense of justice, and we have the means in our hands. Policy may extort from you, what we have not heretofore experienced from your humanity.

*In Congress, October 27, 1778.*

A letter from the Marquis de la Fayette was read, containing an account of the brave conduct of Monsieur Touzar, Captain in the regiment of artillery of la Fer, in taking pos-

session of a piece of artillery from the enemy, in which action he lost his right arm by the discharge of another piece of artillery; Whereupon

Resolved, That the gallantry of Monsieur Touzar, in the late action on Rhode-Island, is deserving of the highest applause, and that Congress in consideration of his zeal and misfortune, do promote the said Monsieur Touzar, to the rank of Lieutenant-colonel in the service of the United States by brevet, and that he do receive a pension of thirty dollars per month, out of the Treasury of the United States of America, during his life.

Extract from the Minutes,

CHARLES THOMSON, Sec.

William M'Michael, of the Northern Liberties, of the city of Philadelphia, caulker, on his solemn oath, deposeth and saith, that he was in service as a volunteer in the militia of this State; under the command of Brigadier-general Lacey, on or about the first day of May last, when the British troops attacked the said General's camp; and that after some contest, the said General Lacey was obliged to retire, leaving many of his wounded men on the field of action. That, having retired some small distance, he, this deponent, saw the enemy carrying straw to the places where the wounded were left, and did verily believe they intended to have comforted them therewith: but that before he had proceeded more than four hundred yards from where the wounded lay, he saw the straw in flames. And farther the deponent saith, that on the same day he passed over the same ground, in company with several other persons, and saw the bones of the bodies lying among the ashes of the straw, together with some remains of accoutrements. The deponent further saith, that he heard two privates, who were taken the day aforesaid, say, that the British troops were ordered not to give any quarter.

and to take no prisoners, and that they were threatened by their officers with having no allowance of rum, if they did.

WILLIAM M'MICHAEL.

Philadelphia, September 16th, 1778.

Sworn before me,

JONATHAN B. SMITH.

*The following is an extract from the letter written to Government, giving an account of the above transaction, and which was published in the Pennsylvania Gazette, at York-town.*

“ Our people behaved well. Our loss is upwards of 30 killed and wounded. Some were butchered in a manner the most brutal savages could but equal. Even while living some were thrown into buckwheat straw, and the straw set on fire. The cloaths were burnt on others, &c.”

Williamsburg, October 9.

We hear from the south western frontiers of this State, that Colonel Clark, with a body of militia, has taken possession of Fort Chartres and the other western posts between the rivers Ohio and Mississippi. The Commandant is on his way to this city, a prisoner. Captain Boone, the famous partisan, has lately crossed the Ohio with a small detachment of men, and near the Shawanese towns repulsed a party of the enemy, and brought in one scalp, without any loss on his side. Major Smith has marched with three companies of the militia of Washington county, to support the garrisons in Kentucky. The noted Cherokee Chief Cheu Connaseen, or Dragging Canoe, is lately dead, which event it is likely will unite that nation in the interest of America.

Philadelphia, October 31.

Pennsylvania, &c. A Proclamation by the Supreme Executive Council of the Commonwealth of Pennsylvania.

Whereas the following named persons, late and heretofore inhabitants of this State, that is to say,—Wil-

liam Rofs, cordwainer in Walnut-street; Robert White, merchant and mariner; Richard Palmer, cabinet maker; William Marshall, pilot; John Burd, butcher; John Colston, stocking weaver; William Evans and John Evans, carpenters; Alexander Smith, blacksmith; James Warren, brewer; David Jones, tavern keeper and constable; Hudson Burr, hatter; John Burkett, waterman; William Drewitt Smith, druggist; and Alexander Stedman, Esq. all now or late of the city of Philadelphia: and Thomas Green and Thomas Silkod, yeomen, both now or late of the township of Hatfield; and John Loughborough, blacksmith; Joseph Comely, yeoman; and John Burke, taylor; all now or late of the manor of the Moorland; all now or late of the county of Philadelphia: and Urian Hughes, junior, yeoman, now or late of the township of Buckingham; and David Burge, blacksmith; and Courtland Todd, miller; both now or late of the township of Solebury; and Joseph Kennard, labourer, now or late of the township of Plumstead; and Isaac Hutchinson, Thomas Hutchinson, and Marmaduke Hutchinson, yeomen; all now or late of the township of New-Britain: and Edward Jones, and Jonathan Jones, yeomen; and Enoch Morris, wheelwright; all now or late of the township of Hilltown; and John Dennis, joiner; now or late of the township of Richland; and Peter Pertie, yeoman; now or late of the township of Durham; Jesse Jones, labourer, now or late of the township of Bensalem, and Jonathan Shaw, late Ensign in the American army; all now or late of the county of Bucks; and John Campbell, William Campbell, James Little, Henry Magee, Edward Gibbons, and James Delong, yeoman; all now or late of Emmerfon's Valley; and Andrew Smith and Robert Nixon, yeoman, both now or late of the township of Lack; and Joseph King,

King, yeoman, and William Wright, dyer, both now or late of the township of Path Valley; and Dominick M'Neal, and John Stillwell, yeoman, both now or late of the township of Tuscarora; all now or late of the county of Cumberland; and Richard Weston, yeoman, now or late of the township of Franks-town; and Jacob Hare, Michael Hare, and Samuel Barrow, yeoman, all now or late of the township of Barree, all now or late of the county of Bedford; and George Fields, Daniel Fields, Gilbert Fields, Isaac Dolston, Matthew Dolston, Isaac Dolston, jun, Morris Furner, Edward Furner, George Weitner, Henry Stacks, Patrick Hill, and Matthew Rufel, yeoman, all now or late of the township of Wioming, all now or late of the county of Northumberland; have severally adhered to, and knowingly and willingly aided and assisted the enemies of this State, and of the United States of America, by having joined their armies within this State. And whereas the following named persons, inhabitants of other of the United States of America, who have real estates within this Commonwealth, that is to say, Peter Campbell, Gentleman, and Isaac Allen, attorney at law, both now or late of Trenton, in the State of New Jersey; and Andrew Elliott, Esq. now or late of New-York; have severally adhered to, and knowingly and willingly aided and assisted the enemies of this State, and of the United States of America, by having joined their armies at the city of New York, in the State of New York: We the Supreme Executive Council aforesaid, by virtue of certain powers and authorities to us given, by an act of General Assembly, intituled, "An act for the attainder of divers traitors, if they render not themselves by a certain day, and for vesting their estates in this Commonwealth, and for more effectually discovering the

same, and for ascertaining and satisfying the lawful debts and claims thereupon," Do hereby strictly charge and require the said William Ross, Robert White, Richard Palmer, William Marshall, John Burd, John Colston, William Evans, John Evans, Alexander Smith, James Warren, David Jones, Hudson Burr, John Burkett, William Drewit Smith, Alexander Stedman, Thomas Green, Thomas Silkod, John Loughborough, Joseph Comely, John Burke, Uriah Hughes, jun, David Burge, Courtlandt Todd, Joseph Kennard, Isaac Hutchinson, Thomas Hutchinson, Marmaduke Hutchinson, Edward Jones, Jonathan Jones, Enoch Morris, John Dennis, Peter Perlie, Jesse Jones, Jonathan Shaw, John Campbell, William Campbell, James Little, Henry Magee, Edward Gibbons, James Delong, Andrew Smith, Robert Nixon, Joseph King, William Wright, Dominick M'Neal, John Stillwell, Richard Weston, Jacob Hare, Michael Hare, Samuel Barrow, George Fields, Daniel Fields, Gilbert Fields, Isaac Dolston, Matthew Dolston, Isaac Dolston, jun, Morris Furner, Edward Furner, Henry Weitner, Henry Stacks, Patrick Hill, Matthew Rufel, Peter Campbell, Isaac Allen, and Andrew Elliot, to render themselves respectively to some or one of the Justices of the Supreme Court, or of the Justices of the Peace of one of the counties within this State, on or before Tuesday the 15th day of December next ensuing, and also abide their legal trial for such their treasons, on pain that every of them the said William Ross, Robert White, Richard Palmer, William Marshall, John Burd, John Colston, William Evans, John Evans, Alexander Smith, James Warren, David Jones, Hudson Burr, John Burkett, William Drewit Smith, Alexander Stedman, Thomas Green, Thomas Silkod, John Loughborough, Joseph Comely, John

John Burke, Uriah Hughes, jun. David Burge, Courtlandt Todd, Joseph Kennard, Isaac Hutchinson, Thomas Hutchinson, Marmaduke Hutchinson, Edward Jones, Jonathan Jones, Enoch Morris, John Dennis, Peter Perlie, Jesse Jones, Jonathan Shaw, John Campbell, William Campbell, James Little, Henry Magee, Edward Gibbons, James Delong, Andrew Smith, Robert Nixon, Joseph King, William Wright, Dominick M'Neal, John Stillwell, Richard Weston, Jacob Hare, Michael Hare, Samuel Barrow, George Fields, Daniel Fields, Gilbert Fields, Isaac Dolston, Matthew Dolston, Isaac Dolston, jun. Morris Furner, Edward Furner, Henry Weitner, Henry Stacks, Patrick Hill, Matthew Russell, Peter Campbell, Isaac Allen, and Andrew Elliot, not rendering himself as aforesaid, and abiding the trial aforesaid, shall from and after the said fifteenth day of December next, stand, and be attainted of high treason, to all intents and purposes, and shall suffer such pains and penalties, and undergo all such forfeitures, as persons attainted of high treason ought to do. And all the faithful subjects of this State are to take notice of this Proclamation, and govern themselves accordingly. Given by order of the Council, under the hand of the Hon. George Bryan, Esq. Vice-President, and the seal of the State, at Philadelphia, this 30th day of October, 1778.

GEORGE BRYAN, V. P.

Attested by order of the Council.

TIMOTHY MATLACK, Sec.

*An Act for regulating Navigation and Trade in this State, (Pennsylvania.)*

Whereas the navigation of this and the other United States of America, has been heretofore carried on under acts of the British Parliament, regulating the trade of the plantations,

until by some resolves of the said States, made in Congress, and the declaration of their Independence, and an act of Assembly, intitled "An act to revive and put in force," &c. passed the twenty-eighth day of January, one thousand seven hundred and seventy-seven, whereby the authority of Great Britain, and all the said acts of Parliament, have been vacated and superseded within the territories of the said States.

And as it is of great importance to this Commonwealth that the said trade and navigation in her ports and harbours, and the importation and exportation of all goods, wares and merchandize, in and out of the same, should be regulated and ascertained in this State by a law. Therefore,

Be it enacted, and it is hereby enacted by the Representatives of the freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same, That the master of any ship or other vessel, except ships or vessels of war, privateers, and their prizes, arriving in any port of this State, shall, within forty-eight hours after such arrival, repair to the naval office in the city of Philadelphia, and there exhibit and deliver to the naval officer of this State a true manifest, signed by the said master, of all the goods, wares, and merchandize, laden and imported in such ship or vessel, setting forth the packages, marks, and numbers thereof, and the nature and quantity of their contents, in number, weight, and measure, as they are commonly counted, estimated, and sold; and also his own name and surname, the name and burthen of his ship or vessel, the names and abodes of the owner or owners thereof, and the country, port or place where the cargo was shipped, together with such documents as are usually furnished in such place of lading to masters of vessels sailing from thence with

with goods, wares, and merchandize.

And be it further enacted by the authority aforesaid, That the master of any ship or vessel, to be laden at any port or place within this State, except ships or vessels of war and privateers, taking in necessary stores and provisions, shall first make his report to the naval officer of the intended voyage of his vessel, and of the goods, wares, and merchandize intended to be shipped and exported, and shall obtain the said officer's permit for that purpose; and before such ship or vessel shall proceed or sail, the said master shall exhibit and deliver, at the aforesaid Naval Office, a fair and true manifest of his outward cargo, signed by him in manner and form as the manifests and declarations of importers of goods into this State are by this act directed to be made out and stated. And it is hereby provided and enacted, That in the manifest, as well of cargoes imported as of cargoes shipped off and outward bound, the number, weights, and measure of the particulars of said cargoes shall be expressed in words at full length, and not in figures only. And the said naval officer being satisfied as to the truth and fairness of the manifest or declaration, shall administer an oath or affirmation to the masters of vessels coming in and going out of the ports or places of this State, in substance as followeth, to wit,

“ That the — called —, now at anchor in the port of —, and her cargo, is the property of the person or persons in his manifest named; and that no enemy or subject of an enemy to this or any of the United States of America, is the owner or proprietor of the said — or her cargo, or has any interest or concern of property in either the said — or her cargo, or any part or share of either of them, to his knowledge and belief: and that the goods,

wares, and merchandize now on board the said — are in number, quantity, and quality the same as in his said manifest specified and declared to be to the best of his knowledge.”

And be it further enacted by the authority aforesaid, That during the continuance of the present war between the United States of America and Great Britain, the master of any vessel sailing from any port or place of this State shall, at the said Naval Office, give bond to the President or Vice President of the Supreme Executive Council, with two sufficient sureties, residents in this State, in at least double the value of his cargo, with condition that the same cargo shall be landed and delivered at some place or port not under the dominion of the King of Great Britain, except Bermuda and the Bahama Islands, and that he, the said master, shall, within the space of eighteen months from the date of such bond, produce and deliver to the said naval officer, a certificate from the officer of any port in the dominions of the United States of America, or if his cargo be landed out of the said dominions, then from two creditable merchants, residents in the place where he has landed the same, that the goods and merchandize, mentioned in his clearance or cocket, were actually landed at the place where such certificate was given.

And be it further enacted by the authority aforesaid, That during the continuance of the present war between the United States of America and Great Britain, no goods, wares, or merchandize of the growth, produce or manufactory of Great Britain, nor any of her dominions, except Bermuda and the Bahama Islands, others than goods taken as prize, properly certified to be such, shall be imported by land or water into this State, nor shall any goods, wares and merchandize of the growth, produce or manufactory of East-India, or

of any other country not belonging to Great Britain, be imported from Great Britain or any of her dominions, except salt from Bermuda and the Bahama Islands, into this State on pain of confiscation of all such goods, wares and merchandize, one half thereof to the use of the informer, and the other half to the use of this Commonwealth, to be recovered either by seizure of such goods in the nature of an attachment and a prosecution in rem, or else by an action of debt against the importer for the value of such goods, wares and merchandize, in any Court of record in this State. Provided always, That such action or prosecution shall be brought and commenced within six months from the time the cause has arisen.

And be it further enacted by the authority aforesaid, That in order to enable the owner of any ship or vessel to navigate the same under the protection of the United States of America and this State, and to claim the same as the property of a subject of this State, either within the same or elsewhere, and to detect frauds and abuses which may be attempted to cover the ships of an enemy, all the ships and vessels of and belonging to any subject of this State, shall be registered with the said naval officer when such ship or vessel shall be built or first brought into any port of the same, and before the next departure of such ship or vessel, for which purpose one or more of the owners thereof shall certify, on oath or affirmation, to the said naval officer, the name, burthen, shape and kind of such ship or vessel, together with the name of the master, the place of construction and age of such ship or vessel, and the name or names of the owner or owners thereof, their occupations and abodes, and the parts and shares they respectively hold in the same; and the said naval officer shall enter and register such ship or vessel in a book

to be provided for that purpose, and furnish to the said owners, or any other persons who shall require it, an attested copy of such register:

And be it further enacted by the authority aforesaid; That if the master of any ship or vessel, arriving in any port of this State, or proceeding on a voyage from any port or place within the same, shall neglect to exhibit and deliver to the naval officer of this State such manifest as is herein before required to be made; the master so neglecting as aforesaid, shall forfeit and pay to the naval officer the sum of one hundred pounds for every such neglect; moreover he shall recompence and pay the said naval officer, or other person, any reasonable charge and expence he may be at in searching such ship or vessel, in order to discover any illicit practice in the import or export of any goods, wares or merchandize, during three days, in which space of time such search may be made: and if any goods, wares or merchandize shall be landed in this State from any ship or vessel so arriving as aforesaid, or shall be found in such ship or vessel, and not reported in the manifest thereof, all such goods, wares and merchandize shall be forfeited and seized by the said naval officer; one half to the informer, and the other half to the use of this State.

Provided always, That all vessels employed in transporting fuel, hay, stone, or any produce or manufactory of this State, or the other United States, plying within the bay or river Delaware, shall not be included in the regulations aforesaid.

JOHN BAYARD Speaker.

Enacted into a law at Philadelphia, on Thursday the tenth day of September, in the year one thousand seven hundred and seventy-eight.

JOHN MORRIS, junior,  
Clerk of General Assembly.

To their Excellencies the Right Hon. the Earl of CARLISLE, Sir HENRY CLINTON, and WILLIAM EDEN, Esq. Commissioners of his Britannic Majesty for quieting Americans.

May it please your Excellencies,

Your Proclamation, dated the 3d (See p. 127) came to hand the 21st, addressed to me, among the several orders of men to whom you direct it; and the common rules of decency call for an answer on the awful subject. Alas! for the unhappy contest, begun and drove on by a Jacobite or Tory party, who unhappily got the steering of the British helm these sixteen years past. *The anger of the Lord hath divided us.* I voluntarily joined in opposing their armies with all my power, both in *Scotland and England*, anno 1745; and still think it my duty to oppose them here ever since anno 1775. Had your *Proclamation* come three years ago, it would have made every heart here to leap with joy, and glow with love to your King and you. Alas! the happy hour is now long and far lost. The great Lord Chatham truly told your Parliament we were willing cheerfully to have gone on in a course of trade and tax that paid you two millions sterling yearly these thirty years past, which far more than repaid all the boasted money you expended in former wars, for the sake of your trade defending us; but all these millions would not satisfy the need of your Court *Jacobites*; no, but a *taxing us in all cases whatsoever*, and planting all our cities with swarms of tax-gatherers in custom-houses, who by their lewd examples and influences, would soon have debauched all our cities, and youth of both sexes, especially when assisted in the said debauching work by the shoals of convicts you swept out of your gaols, and poured in upon our coasts yearly these thirty years past.

You declare to our Congress, that you are for *securing to us an exemption*

Vol. VII.

from British taxation, and the irrevocable enjoyment of our privileges, on which the interest of religion and liberty depend. But does it not appear from the face of your commission, and the act enabling the King to appoint you, that Parliament still reserves to itself, a power to confirm or repeal all the *securities* you may or can give us, as it sees cause. Can you give sufficient *security* that your bloody greedy Bishops will not invade us, and build their lofty palace on the 300 acres of land they bought at Trenton for that end? Can you give any good *security* that your Jacobite Ministry, will not in two years repeal all you do, and begin to murder and burn our country again? We had the most solemn *securities* of your King's *sacred coronation oath*, and many acts of Parliament, to guard our lives, religion, and liberties, in anno 1764, yet your Court broke through all, and sent large fleets and armies to destroy us. You know the Court has in all ages been used perfidiously to break through its most *solemn oaths* and laws. In anno 1643, it swore a *solemn league and covenant* to defend religion and liberty, and yet in a few years after they burnt said *covenant* by the hangman, repealed all the *securing* laws, and because our pious ancestors would not consent to that perjury and apostasy of the Court and its Bishops, they banished many of them to America, denounced them rebels; murdered on scaffolds, &c. about 8000 Scots Nobles, Ministers, and people, and killed and banished 42,000 English as *traitors*, but we call them *martyrs* for religion and liberty, so we are become jealous of your Court.

Other nations are jealous of you too as well as we; for although Ireland was at peace with you anno 1641, yet your *Royal Martyr*, Charles the First, authorized the Papists to murder 40,000 Protestants in cold blood, and

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and about anno 1662, you suddenly broke through all peace and faith with the *Dutch*, while their fleet lay quietly in the Downs on your coast, and murdered a vast number of them, destroying their ships. Your Court also deceived the pious *French* Protestants at *Rochelle*, besieged in their city, and so got them butchered. In anno 1708, your Court, by Commissioners, got the credulous Scotch flattered and fettered into above twenty articles of union with you; yet you have basely broke through them all, but a very few. *Tell it not in Gorb.*

Your Excellencies say, that *Britain*—*must*—*be at all times the best guardian of religious liberty, and most disposed to extend it*—Strange! Read your sacramental *Test Act*, whereby every Scotchman, if he comes south over the river *Tweed*, to sit as a Briton in Parliament, is absolutely bound to renounce his Presbyterian profession, and return home, or else superstitiously kiss at your chancel-table, and take the sacrament after the Episcopal form, and take a swarm of state oaths. Nor can any Dissenter in England be admitted as a witness, by law, in any civil Court, till he first renounces his profession, and superstitiously kiss the Gospel or a Prayer-book like as a Popish Priest kisses the Gospel while celebrating mass. By your *Patronage Act* every British parish is totally deprived of power to elect its own Clergymen, in England the Bishop does it. In Scotland a Popish Laird, or Lord, or a Jacobite Den does it; and though the *Scots* have struggled these seventy years, yet they can never get their necks out of this galling yoke. By the acts regulating elections, the Scots farmers and tradesmen are totally deprived of electing their Parliament men, unless it be a very few rich ones, so that the poor Scots have their souls taugth and their estates taxed by men they never employed

to act for them: thus their *souls* and *bodies* are drudges and slaves to your British Court, which you call *the best guardian of religion and liberty*—You dragged hundreds of poor Scots from their beds, wives and children, at midnight, to come and murder us; so that, unless a *Scotsman* has lost all feeling, his soul must be fired with flaming indignation to hear you talk so, and must redouble his zeal with the Americans jointly to guard this his bleeding country against your perfidy and tyranny; and I loudly call on them all to do it, if they mean to act like their noble and pious ancestors.

Your Excellencies say, that the *grievances which led us into this rebellion*, (as you call it) *hath been for ever removed*—It is well your Court hath owned its fatal error by repealing those bloody acts that robbed us of our charters, fisheries, and asserted a right to *tax us in all cases, &c.* Yet that is far from redressing many other grievances, we often begged your Court to redress. No, you have both multiplied and magnified our grievances ever since we took up arms, as well as before, both by sea and land. You have raised and hired the savages to butcher and burn our innocent men, women and children by hundreds, in our frontiers. Your Court hath hired the Germans and forced their peasants and sailors to come and murder some of our Ministers and some of our Generals, refusing them quarters. You have burnt our churches, houses, barns, shipping, and cities; other churches, you made into riding houses for your horses; others you turned into goals, there poisoning or starving to death, in hunger and cold, some thousands of our prisoners; so that unless you could bring all those, and all you slew in battle, to life and health again, you could not possibly *remove all our grievances*. We may forgive your trespasses committed against our

names

names and estates, but it is God alone can forgive your Court all these horrid murders.

The Great Almighty God who rules all nations on earth, and their Courts, now called our Continent to his bar these three years past, to answer for our sins, our profanation of his name and sabbath, our neglect of his divine institutions, and by your soldiery hath now punished us justly. But know that the same Great God will call your Court and kingdom to his tremendous bar, to answer at your peril, not only for all the horrid murders done against us, but also for all the horrid murders your English Court committed in the reign of King Henry the Eighth, and in the five years bloody reign of his daughter Mary, and for all that banishing such multitudes of pious persons to New-England in Queen Elizabeth's reign, besides what it then stifled in English prisons by its new made laws, and for all the 40,000 murders it did in your Royal Martyr's time in Ireland, and for the 60,000 in Charles the Second's time; that it banished abroad or murdered at home; all the 10,000 Scots and 18,000 others you murdered since 1775 in this war. All the millions of murders done in the East-Indies, at Calcutta, &c. and for all the millions of innocent negroes, your Court, by its African Company, has stifled to death and cast into the sea on their way to the West-Indies, these 50 years by-gone. For though the old Royal murderers be dead, yet the Court is alive, and is the same Court still, and amenable at the bar of Heaven for its conduct as a Court. As God called the Babylonish King to punish the Jewish Court for the innocent blood it had shed in Manasseh's day, near 200 years after he was dead, so he may call the French King to avenge all the said crimes on the British Court, though it be about 200 years since the train of them began to be committed.

You know it was luxury, debauchery, the shedding innocent blood, the profanation of God's name and sabbath, and neglect of Christ and his ordinances, provoked Almighty God to send Titus Vespasian to destroy the Jewish nation, and if your British Court do not repent of all these vices, which overflow Britain, the same God will dismember your empire and destroy your nation. Go home and advise your King and Court to repentance, and to treat with the Congress for an alliance of amity and commerce. They are silly able to give you good terms, highly conducive to both our interests. Look over to Genoa, would it not been far better for them to have agreed with Corsica, on the terms it proposed, than to have totally lost it, and so much treasure and blood along with it? You call our revolution rebellion, but look back at home; your nation revolted from the tyrannical Romish empire, and set up independent; and again it revolted from the tyrannical Stuart family, and set up independent of them, yet you call these in your laws glorious revolutions, and so may posterity pronounce ours a happy revolution, both for religion and liberty, if we can but avoid destroying it by vice and profanation, as you and other nations destroyed theirs.

*Philadelphia, Oct. 30, 1778.*

*In Congress, October 1, 1778.*

Resolved, That all limitations of prices of gold and silver be taken off.

*January 1, 1778.*

Resolved, That it be recommended to the several States, forthwith to adopt such measures as may be effectual for detecting persons employed in making counterfeit bills, or passing the same, knowing them to be such,

*November 19, 1778.*

Resolved, That the Commissioners of the Continental loan offices of the United States be respectively directed

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rected to receive for loan office certificates, such bills of credit only, as have or may be emitted by Congress, any resolution to the contrary notwithstanding.

*January 1, 1779.*

Resolved, That one eighth per cent. be allowed to the Commissioners of the loan offices, on the amount of bills to be exchanged by them respectively, in lieu of all other expence attending the said business.

*January 14, 1779.*

Resolved, That it be recommended to the several States, to take the most speedy and effectual measures for publishing the resolutions of the 2d instant, in their several counties, towns, and districts, and for encouraging the wealthy inhabitants thereof, to unite in assisting the indigent, by exchanging without discount, bills in their possession, of the emissions of May 20, 1777, and April 11, 1778.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*A list of the Congress, as chosen for the year 1779.*

JOHN JAY, President.

*New Hampshire.* Josiah Bartlet, John Wentworth, William Whipple, George Froft.

*Massachusetts Bay.* John Hancock, Samuel Adams, Elbridge Gerry, Francis Dana, James Lovell, Samuel Holton, Timothy Edwards.

*Rhode Island.* Stephen Hopkins, William Ellery, John Collins.

*Connecticut.* Roger Sherman, Titus Hossmer, Eliphalet Dyer, Samuel Huntington, Oliver Ellsworth, Andrew Adams, Jesse Root.

*New-York.* John Jay, James Duane, Governor Morris, Philip Schuyler, William Floyd, Francis Lewis.

*New Jersey.* John Witherspoon, Nathaniel Scudder, Frederick Frelinghuysen, John Fell, John Neilson.

*Pennsylvania.* Daniel Roberdeau, William Clingham, John Armstrong,

William Shippen, Samuel J. Atlee, James Searle.

*Delaware.* Cæsar Rodney, Nicholas Vahdyke. Thomas M'Kean.

*Maryland.* George Plater, William Paca, William Carmichael, John Henry, James Forbes, Daniel of St. Thomas Jenifer.

*Virginia.* Thomas Adams, John Herve, John Bannister, Francis Lightfoot Lee, Merriweather Smith, Richard Henry Lee, Cyrus Griffin.

*North Carolina.* John Penn, Cornelius Harnet, John Williams, Whitmit Hill, Thomas Burke.

*South Carolina.* Henry Laurens, William Henry Drayton, John Matthews, Thomas Heyward, Rich. Colston.

*Georgia.* Lyman Hall, George Walton, Joseph Clay, John Walton, Edward Telfair, Joseph Wood, Leonard Langworthy.

CHARLES THOMSON, Sec.

*Chatham, (in New Jersey) March 9.*

We hear that the Indians and Tories, with their usual barbarity, have burnt a number of houses at Squaharrah.

*In Congress, October 20, 1778.*

Whereas by a resolution of Congress of the 22d of April, 1777, it is provided: "That the several commanding officers of parties, detachments, or corps, on their march to or from the camp, shall send to the military hospitals such of their officers and soldiers as from time to time are unable to proceed, unless from the distance of the hospitals, or other causes, it shall at any time be necessary to deliver them to the care of private physicians or surgeons; in which cases, the Deputy Director General shall discharge the reasonable demands of the physician and surgeon conducting agreeable to the said resolve." And whereas no provision is therein made for discharging the accounts of other persons, who have been or may be employed, by proper officers,

officers, for taking care of, and providing for such officers and soldiers.

Resolved, That the Deputy Director General be respectively authorized and instructed to discharge such of the said accounts as shall appear to be reasonable and just, provided that each person, who may hereafter be employed to provide for officers and soldiers as aforesaid, shall give the earliest notice thereof to the Deputy Director General, or the Physician or Surgeon General of the district, in order for their speedy removal to the military hospitals.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*In Congress, October 21, 1778.*

A letter from David Franks, Esq. Commissary of British prisoners, to Moses Franks, Esq. of London, enclosed under cover to Captain Thomas Moore, of Gen. De Lancey's regiment, was laid before Congress; whereupon resolved, That the contents of the said letter manifest a disposition and intentions inimical to the safety and liberties of the United States; and that Mr. Franks, having endeavoured to transmit this letter by stealth within the British lines, has abused the confidence reposed in him by Congress, to exercise, within the jurisdiction of these States, the office of Commissary to the British prisoners.

Resolved, That General Arnold be directed to cause the said David Franks forthwith to be arrested and conveyed to the New gaol in this city, there to be confined until the farther order of Congress.

Resolved, That David Franks, Esq. be not, after the tenth day of November next, permitted to exercise, directly or indirectly, the office of Commissary to the British prisoners within the jurisdiction of the United States.

Resolved, That General Washington be directed to transmit a copy

of these resolutions to Sir Henry Clinton, and to inform him that Congress desire he will nominate a proper person, who, having received their approbation, may exercise the office of Commissary to the British prisoners.

Extract from the Minutes,

CHARLES THOMSON, Sec.

*In Council,*

*Philadelphia, February 3, 1779.*

Present, his Excellency Joseph Reed, Esq. President; Hon. George Bryan, Esq. Vice-president; Colonel Joseph Hart, John Mackay, James M'lene, James Read, John Hambright, and Thomas Scott, Esquires.

This Board having maturely considered the general tenor and course of the military command exercised by Major-general Arnold, in this city, and state; and divers transactions which have appeared to this Board, during his command, do resolve, unanimously,

1st. That the same hath been in many respects oppressive to the faithful subjects of this State, unworthy of his rank and station, highly discouraging to those who have manifested their attachment to the liberties and interests of America, and disrespectful to the supreme executive authority of this State.

Wherefore resolved unanimously,

2d, That nothing but the most urgent and pressing necessity can justify or induce this Board to call forth any waggons or militia, or otherwise subject the good people of this state to the power of the said General Arnold within the State, should he resume it upon his return.

3d, Ordered, that the Attorney-general do prosecute the said General Arnold, for such illegal and oppressive conduct as is cognizable in the courts of law.

And

And that this Board may not be supposed capable of passing the above resolves upon mere general grounds, and more especially in the case of one who has formerly distinguished himself in public service, they think proper to declare that the consideration last mentioned, has hitherto restrained them from taking proper notice of General Arnold, hoping that every unworthy transaction would be the last, or that a becoming sense of such improprieties would effect an alteration of conduct; but finding that tenderness has only led to insult and farther oppression, duty to the State, regard to the interests and happiness of the good people thereof, who must be affected by all abuses of power, oblige us thus to take notice thereof, and farther declare, that the said resolves are founded upon the following articles, in which they have sufficient grounds to esteem General Arnold culpable :

I. That while in the camp of General Washington at Valley Forge, last spring, he gave permission to a vessel belonging to persons then voluntarily residing in this city with the enemy, and of disaffected character, to come to a port of the United States, without the knowledge of the authority of the State, or of the Commander in Chief, though then present.

II. In having shut up the stores and shops on his arrival in the city, so as even to prevent officers of the army from purchasing, while he privately made considerable purchases for his own benefit, as is alledged and believed.

III. In imposing menial offices upon the sons of freemen of this State, when called forth by the desire of Congress to perform militia duty, and when remonstrated hereupon, justifying himself in writing upon the ground of having power so to do, for that, "when a citizen assumed the

character of a soldier, the former was entirely lost in the latter, and that it was the duty of the militia to obey every order of his aids (not a breach of the law and the constitution) as his (the General's) without judging of the propriety of them."

IV. For that when a prize was brought into this port by the Convention brig of this State, whereupon a dispute arose respecting the capture, which would otherwise, in great probability, have been amicably adjusted by an illegal and unworthy purchase of the suit, at a low and inadequate price, as he has been publicly charged by a reputable citizen, to which may in some degree be ascribed the delay of justice in the Courts of appeals, and the disputes in which the State may probably be involved with Congress hereupon.

V. The appropriating the waggon of this State when called forth upon a special emergency last autumn, to the transportation of private property, and that of persons who voluntarily remained with the enemy last winter, and were deemed disaffected to the interests and independence of America.

VI. In that Congress by a resolve of the 21st of August last, having given to the executive powers of every State, an exclusive power to recommend persons desirous of going within the enemy's lines, to the officer there commanding, General Arnold, in order, as may reasonably be inferred, to elude the said resolve, wrote a letter, as appears by comparison of hands, and the declaration of the intended bearer, recommendatory for the above purpose, and caused his Aid-de-Camp, Major Clarkson, to sign the same; but the said device not taking effect, through the vigilance of the officers at Elizabethtown, General Arnold, without disclosing any of the above circumstances, applied to Council for their per-

permission, which was instantly refused; the connections, character, and situation of the party being well known, and deemed utterly improper to be indulged with such permission; thereby violating the resolve of Congress, and usurping the authority of this Board.

VII. The Board having, upon the complaint of several inhabitants of Chester county, through the late Waggon-master-general, requested of the said General Arnold to state the transaction respecting the waggons, in order that they might satisfy the complaints, or explain the same without farther trouble, received in return, an indecent and disrespectful refusal of any satisfaction whatsoever.

VIII. The discouragement and neglect manifested by General Arnold during his command, to civil, military, and other characters, who have adhered to the cause of their country—with an entire different conduct towards those of another character, are too notorious to need proof or illustration; and if this command has been, as is generally believed, supported at an expence of four or five thousand pounds per annum, to the United States, we freely declare we shall very unwillingly pay any share of expences thus incurred.

On consideration, Ordered, That as the waggons sent by General Arnold to Egg Harbour, were drawn forth under the law of the State, and the waggoners not being able to procure payment, either from the Quarter-master's department, or from General Arnold, who is departed from this city, while the complaint against him was depending, and they being in great necessity, this Board ought to relieve them so far as to advance four hundred and fifty pounds, until they can procure farther redress. And that Jesse Jordan, the Waggon-master, give a special receipt to be accountable therefore.

Extract from the Minutes,

T. MATLACK, Sec.

Camp, *Raritan*, February 9, 1779.

To the PUBLIC.

Conscious of having served my country faithfully for near four years, without once having my public conduct impeached, I little expected at this time to be charged with crimes of which I believe few who know would have suspected me. I find, since I left Philadelphia, that the President and Council of the State have preferred to Congress eight charges against me, for mal-administration while commanding in the State; and that, not content in endeavouring in a cruel and unprecedented manner to injure me with Congress, they have ordered copies of the charges to be printed and dispersed through the several States, for the purpose of prejudicing the minds of the public against me, while the matter is in suspense. Their conduct appears the more cruel and malicious in making the charges after I had left the city, as my intention of leaving it was publicly known for four weeks before.

I beg leave to inform the public, that I have requested Congress to direct a Court-martial to inquire into my conduct, and trust my countrymen will do me the justice to suspend their opinions in the matter until I have an opportunity of being heard, and condemned or acquitted. I hope the issue will shew that, instead of my being guilty of the abuses of power with which I am accused, the present attack upon me is as gross a prostitution of power as ever disgraced a weak and wicked Administration; and manifests a spirit of persecution against a man, (who has endeavoured to deserve well of this country) which would discredit the private resentments of an individual, and which ought to render any public body, who could be influenced by it, contemptible.

BENEDICT ARNOLD.

By

*By his Excellency Sir HENRY CLINTON, K. B. General and Commander in Chief of all his Majesty's forces, within the Colonies laying on the Atlantic Ocean, from Nova Scotia to West-Florida, inclusive, &c. &c. &c.*

**PROCLAMATION.**

Whereas there are several deserters from his Majesty's troops, under my command, who are known to be serving with the enemy, and who from a just reflection upon the infamy of bearing arms against their Sovereign and their country, would return to their duty, did not the fear of punishment deter them: I do hereby proclaim a free pardon to every deserter, of whatsoever rank or denomination, who shall voluntarily surrender himself to any of his Majesty's troops before the first day of May next.

Given under my hand, at headquarters, in New-York, the 23d day of February, 1779.

H. CLINTON.

*By his Excellency's Command.*

JOHN SMITH, Sec.

*Savannah, (Georgia) Dec. 3.  
Camp at Midway, Nov. 20, 1778.*

Sir,

General Screven and Mr. Strother having been missing since the skirmish with your troops, I have sent Major Habersham to know whether they had fallen, or are prisoners in your hands; and in the former case to request that their corpses may be permitted to be brought in for interment.

I cannot avoid on the present occasion, to complain of the equally ruinous and disgraceful warfare carried on by the troops under your command; while your King affects to wish a pacification with America, his officers are heightening the resentment of the people by the most contrary in good offices.

What advantages or consolations do you derive from cruel burnings?

Are not the effects of war sufficiently calamitous for the community, that you should transfer them to individuals, and in a manner too without discrimination?

Britons did not use to do so; it is their practice only in these latter days. Having fought in their service, I feel a right to remonstrate against it, and which I the more earnestly do, that it may prevent the horrors of retaliation. I am, Sir,

J. WHITE, C. C.

*Lieut. col. J. Prevost,  
Commander of the King's troops,  
St. John's parish, Nov. 22, 1778.*

Sir,

I had the honour of your's, relative to Brigadier-general Screven, and Mr. Strother. The former, I am happy to inform you, is likely to do well (from the report of the Surgeons): the other, I believe, is dead. I shall give directions for his burial.

When you come to consider that many of the troops under my command are irregulars, and many of them have resentments, to account for many acts which I heartily abhor, and that the calamities of war you complain of have been (by people under your immediate command) given us a precedent at Pierfon's Island, the destruction previous to that of every settlement on St. Mary's-river, the wanton destruction of every building and animal creature on the Island of Amelia, and the murder of Capt. Moore, and others, in cool blood, you will own, I hope, that if the retaliation has been severe, it might have been foreseen and expected, and though more costly, it will be less felt than that of the poor people who lost their All: at the same time I positively disclaim any order, or even approbation of such proceedings; my heart bled for the sufferers, though authorized by the laws of war. I have forbidden in the strictest manner the burning of any houses, and whenever any people have been found

found to take care of their property, though known to be inimical to the King's Government, I have left them in possession of every thing belonging to them, and only required them to remain quietly and peaceably at their own houses. The hostile appearance of the inhabitants, and your Governor's indecent Proclamation when your last attempt against East Florida was threatened, would justify any thing, if I could reconcile it to myself. At the same time I must declare to you, that whenever I shall meet with opposition from the planters and inhabitants, their property must answer for their imprudence. The destruction of provisions which I know to be a capital loss to a planter, will at least atone for their rashness.

I have to acquaint you, that I have accounts of a large number of Indians anxious to join me: the horrors attending their mode of carrying on war have always shocked me, and I could wish that I could be justifiable in sending them back again, previous to their entering the heart of the settlements. Think not that I am vain or mean to threaten, by demanding a tame submission of the province until the fate of America is determined: you will find that my humanity, and my wish to save Georgia, dictate my application to you.

I have the honour to be, with respect, Sir, your most obedient humble servant,

J. PREVOST, Lieutenant-colonel,  
commanding the King's troops in  
Georgia.

P. S. Brigadier-general Schreven being desirous, I was glad to send him when he could meet with proper assistance. I am really unhappy to hear from him that one of the rangers shot him after he was already disabled. Capt. Muttac, whom I send with him, with eight men, has orders to deliver him safe in your camp, and to return immediately. I

VOL. VII.

beg he may not be detained; your flag was detained no longer than to give proper attendance to the General.

I am, Sir, your's,

J. PREVOST.

*Copy of Brigadier-general PREVOST'S  
PROCLAMATION.*

Notice is hereby given to all inhabitants, planters, &c. in the State of Georgia, that they are to remain at their dwelling places, and not to interfere in the defence of their province. All persons whatever, not belonging to the Continental troops, who shall be found in arms, or in any hostile act, or absent from their families, may expect to have their houses, their plantations, and their property destroyed; instead of which, remaining peaceably in their houses, and delivering their arms and ammunition when required, and behaving with propriety, in return for the lenity shewn them, they shall be perfectly secure, and paid for whatever shall be wanted for the King's service.

Given under my hand at Headquarters,

(Signed) A. PREVOST,  
Commander of his Majesty's troops  
in the Floridas.

*Postscript to Col. WHITE'S letters to  
Gov. HOUSTON, dated Nov. 8,  
1778.*

"The within Proclamation accompanied Col. Prevost's answer to my letter, by an officer with a flag, who attended Major Habersham on his return. I gave a short, verbal answer by the officer, to this purpose, "That as we totally agreed in political principles, and as a soldier, I had nothing to do with the affairs of legislation—therefore should submit the matter to a decision in the field."

In the morning of the 25th of November, Colonel John McIntosh, commanding officer in Fort Morris, re-

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ceived



ceived the following from Lieutenant-colonel Fuser, commanding a body of British troops, who had the night before taken possession of the upper end of the town of Sunbury.

*Sunbury, November 25, 1778, eight o'clock in the morning.*

Sir,

You cannot be ignorant that four armies are in motion to reduce this province; the one is always under the guns of your fort, and may be joined when I think proper by Colonel Prevost, who is now at the Meeting-house. The resistance you can or intend to make will only bring destruction upon this country. On the contrary, if you deliver me the fort which you command, lay down your arms, and remain neuter until the fate of America is determined, you shall, as well as all the inhabitants of this parish, remain in the peaceable possession of your property. Your answer, which I expect in an hour's time, will determine the fate of this country, whether it is to be laid in ashes, or remain as above proposed.

I am, Sir, your most obedient, &c.

L. V. FUSER, Colonel 60th regiment, and commander of his Majesty's troops in Georgia, on his Majesty's service.

To Captain THOMAS MORRIS,  
commander of the fort at Sunbury.

—On the outside.—

P. S. Since this letter is closed, some of your people have been firing scattering shot about the town. I am to inform you, that if a stop is not put to such irregular proceedings, I shall burn a house for every shot so fired.

This letter was brought into the fort by Major Lane, who soon returned with the following answer, which he delivered to Colonel Fuser.

*Fort Morris, Nov. 25, 1778.*

Sir,

We acknowledge we are not ignorant that your army is in motion to endeavour to reduce this State; we believe it entirely chimerical that Colonel Prevost is at the Meeting-house; but should it be so, we are in no degree apprehensive of danger from a junction of his army with your's. We have no property, compared with the object we contend for, that we value a rush, and would rather perish in a vigorous defence than accept of your proposals.

We, Sir, are fighting the battle of America, and therefore disdain to remain neuter till its fate is determined.—As to surrendering the fort, receive this laconic reply—**COME AND TAKE IT.**

Major Lane, whom I send with this letter, is directed to satisfy you with respect to the irregular loose firing, mentioned on the back of your letter.

I have the honour to be,

Sir, your most obedient, &c.

JOHN M'INTOSH.

Lieutenant-colonel of the Continental troops.

*Lieutenant colonel L. V. FUSER, of his Britannic Majesty's troops in Georgia.*

About half past eleven o'clock, A. M. Major Lane returned, after having signified to Colonel Fuser, that the loose firing complained of was intended to prevent the British troops from plundering the town; and as to his threatening to burn a house for every shot, the Major remonstrated to Colonel Fuser, that such a proceeding would be rather savage and inhuman; but if he was determined to do it—in order to convince them how little we were to be deterred by such threats, as soon as he burnt a house at one end of the town, we would apply a torch to the other, and let the flames meet by a mutual conflagration.

*Regulation*

*Regulation concerning the Navigation  
of neutral Ships in time of war.*

*Published by order of the French King,  
July 26, 1778.*

*(Translated from the French.)*

The King, having caused the ancient regulations concerning the navigation of neutral ships in time of war to be laid before him, has judged it proper to renew the same, and to add thereto whatever to him appeared necessary for the preservation of the rights of neutral powers, and the interests of their subjects, without authorising any abuse that may be made of the neutral flag. In consequence whereof his Majesty has ordered, and does hereby order as follows :

*First.* His Majesty forbids all privateers to take and conduct into his kingdom any ships belonging to neutral powers, even though they should have sailed from an enemy's port, or be bound thither; unless such ships shall be carrying succours to places belonging to an enemy then blockaded, invested, or besieged. In case the ships of neutral states shall be laden with contraband articles for the use of the enemy, such ships may be stopped, and the said articles seized and confiscated; but the vessel and the remainder of the cargo, shall be released, unless the said contraband articles compose three fourths of the value of the cargo: in which case the ships and cargo shall be entirely confiscated. His Majesty, however, reserves the power of revoking the liberty given by this article, if the belligerent powers do not grant the same within six months from the day of the publication of this regulation.

2. The masters of neutral ships shall be obliged when at sea to prove their neutral property, by passports, bills of lading, invoice, and other papers on board; one of which at least must incontestibly prove the

neutral property, by containing a particular account thereof. As to charter-parties, and other pieces which shall not be signed, it is his Majesty's pleasure that such shall be considered as null and of no effect.

3. All vessels taken, of what nation soever, neutral or allied, upon its being proved, that papers have been thrown overboard from such vessels, or otherwise suppressed or destroyed, such vessels and their cargoes shall be declared good prizes, upon the single proof of their papers being thrown overboard, and without the necessity of enquiring what those papers were, by whom they were thrown overboard, or whether there remains on board authority sufficient to prove, that the ship and cargo belonged to friends or allies.

4. A passport, or clearance, can serve but for one voyage only; and it shall be considered as null, if it be proved, that the vessel was not, at the time of preparing for such voyage, in one of the ports of the Prince who granted such passport.

5. No regard shall be paid to passports of neutral powers, when those who shall have obtained them shall be found to have acted evasively, or when a passport expresses the name of a ship different from that it bears in the other papers on board, unless due proofs of the change of name, and the identity of the ship, are expressed in the said papers, and that they have been inspected by the public officers of the place from whence they came, and registered in the presence of the principal public officer of the place.

6. No regard shall be paid to passports granted by neutral or allied powers, either to proprietors or masters of ships, who are subjects to his Majesty's enemies, unless they have been naturalized, or have moved their dwelling into the dominions of the said powers, three months before

the first of September of the present year; nor shall passports be granted to such proprietors or masters of ships, subjects of his Majesty's enemies, shall, have obtained letters of naturalization, if after they have obtained them, they shall return into the states at war with his Majesty, and continue their trade there.

7. No vessels built by an enemy, or having an enemy for its proprietor, can be reputed neutral or allied, unless there are on board some authentic papers passed by some public officers, which may assure the date, and justify the sale or cession of such vessels to the subjects of allied or neutral powers, before the commencement of hostilities; and the sale of such property of the enemy to neutral or allied subjects, must be duly registered in the presence of the principal officer of the place from whence such vessels depart, and signed by the proprietor or bearer of such powers.

8. With respect to vessels built by an enemy, which shall have been taken by his Majesty's ships, or those of his allies or subjects, during the war, and which shall afterwards be sold to the subjects of allied or neutral states, such vessels shall not be considered as good prizes, if there shall be found on board proper authorities, passed by the public officers, proving both the taking of the ship, and also the sale of it afterwards to the subjects of the said allied or neutral states, whether in France, or in the ports of any neutral power; but in want of such proper vouchers, both ship and cargo shall be deemed good prize.

9. Such foreign ships shall be deemed good prizes, on board which shall be found a supercargo, or other superior officer, a subject of his Majesty's enemies; as also such ships, whose crews shall be composed of more than one third, subjects to his Majesty's enemies, or who shall not

have on board a proper list of the seamen, authenticated by the public officers of those neutral places from whence the vessels shall have sailed.

10. His Majesty, however, does not comprehend, in the disposition of the preceding article, such ships, whose captains or masters shall fairly prove, from authentic vouchers on board, that they were obliged to take such officers or seamen in the ports they touched at, in order to replace those of neutral countries who died on the voyage.

11. It is his Majesty's pleasure, that, in no cases, papers produced after the capture of any ship, shall have any credit given to them, or be productive of any advantage, either to the proprietors of the said ships, or of their cargoes: his Majesty being desirous that, on all occasions, no regard shall be paid to any papers, but such as shall be found on board.

12. Ships belonging to neutral powers, coming from any port in France, and having on board no other commodities or merchandises than what they received in such port, and which shall be furnished with a passport from the Admiral of France, shall not be stopped by French privateers, nor brought into any of the ports of France, under any pretence whatever.

13. In case of any evasive conduct in the owners of French privateers respecting the present regulation, such vessels as they have captured shall be delivered up, and the said privateers shall be condemned to pay such damages and interest as shall be thought just.

14. His Majesty orders, that this present regulation shall hold good with respect to ships running a-ground on any of the coasts dependent on his possessions.

15. It is his Majesty's further pleasure, that the dispositions, under the title of Declarations from the Ordinance of

of Mariné, of the month of August, 1681, shall be executed according to their form and tenor, as far as they are not derogatory to the present regulation; which shall be read, published, and registered in our courts of Admiralty. His Majesty orders and commands the Duke de Penthièvre, Admiral of France, strictly to attend to the execution hereof.

Given at Versailles, the twenty-sixth day of July, one thousand seven hundred and seventy-eight.

Signed, LOUIS.

Counterigned,

DE SARTINE.

**ORDER** of the French King's Council of State, which is to take place on the 26th of January, 1779, and revokes, with respect to the subjects of the United Provinces of the Low Countries, (the city of Amsterdam excepted) all the advantages given, by the first article of the regulation of the 26th of July, 1778, to the navigation of neutral vessels: directs also, that all Holland vessels shall provisionally execute the first, second, third, fourth, and fifth articles of the regulation of the 21st of October, 1744; subjecting the said vessels to the payment of duties on freightage, and to the making a new entry.

January 14, 1779.

*Extract from the Registers of the Council of State.*

The King having declared, by his regulation of the 26th of July last, concerning the navigation of neutral vessels, that he reserved to himself the power of revoking the liberty granted by the first article, in case the belligerent powers should not grant the like within the space of six months; and his Majesty, judging it proper to make known his intentions, relative to the vessels belonging to the subjects of the Republic of the United Provinces of the Low Countries, has

in council ordered and declared as follows:

Article the 1st.

The Republic of the United Provinces not having obtained of the Court of London the liberty of navigation, equal to that which the King had conditionally promised to their flag, and which their treaties with England should secure to them, his Majesty revokes, with respect to the subjects of the said Republic, the advantages granted by the first article, concerning the commerce and navigation of neutral ships; and in consequence declares it his pleasure, that the vessels of the said Republic shall provisionally execute the first, second, third, fourth, and fifth articles of the regulation of the 21st of October, 1744.

2. His Majesty further declares, that from the date of the 26th of January, 1779, the vessels belonging to the subjects of the said Republic, shall pay the duty on freightage, as is established by the ordinances and regulations, and particularly by the declaration of the 24th of November, 1750, and the order of Council of the 16th of July, 1757; his Majesty reserving to himself the power of laying, when he pleases, new duties on the commodities of the United Provinces, and the productions of their manufactures.

3. His Majesty, however, considering that the city of Amsterdam has made the most patriotic exertions, to persuade the Republic to procure, from the Court of London, the security of that unlimited liberty, which belongs to their flag, in consequence of her independence and integrity of commerce, which the rights of nations and treaties secure to her; and his Majesty, desirous of giving the said city a striking example of his benevolence, has reserved to the ships freighted by the inhabitants of Amsterdam, the liberty promised

ruised by the first article of the regulation of the 26th of July last, concerning the navigation of neutral vessels, as well as the exemption of the duties of freightage; except such vessels as are employed in the French coasting trade, which shall continue to be subject to the order of Council of the 16th of July, 1757. His Majesty farther reserves to the inhabitants of the said city, the advantages granted to their own commodities, and the productions of their manufactures, conformably to what is at present practised.

4. To secure to the vessels of Amsterdam, exclusively, the enjoyment of the advantages granted in the preceding article, his Majesty declares, that the captains of the said vessels shall be supplied with a certificate from the Commissary of the Marine established at Amsterdam, and an attestation of the magistrates of the said city, asserting that the vessels were actually freighted by the inhabitants of that city, and that they went directly from their port for the place they were bound to.

5. The said Captains shall be bound, on their return, to appear before the said Commissary of the Marine, and to give sufficient proof, that he landed his cargo in no other port or harbour of the Republic than that of Amsterdam. His Majesty also enjoins the said Commissary, to refuse in future any new certificate to those, who shall not be provided with good proof of their integrity, or who shall be convicted of having landed their cargo in any other port or harbour of the republic.

6. His Majesty especially commands his Ambassador to the Republic of the United Provinces of the Low Countries, strictly to attend to the due observance of this order.

His Majesty orders and commands the Duke de Penthièvre, Admiral of France, to sign the execution of the present order, which shall be entered

on the registers of the Admiralty, and from whence all the necessary letters shall be dispatched.

Given in the King's Council of State, his Majesty being present, held at Versailles, Jan. 14, 1779.

Signed,

DE SARTINE.

The Duke de Penthièvre, Admiral of France, Governor and Lieutenant-General for the King in his Province of Bretagne :

We do order and command all the officers of Admiralty whatsoever to conform to, and register in each of their offices, the above order of the King's Council of State, to us addressed.

Given at Paris, the 29th of January, 1779.

Signed,

L. J. M. DE BOURBON,  
Countersigned, by his most Serene Highness.

Signed,

DE GRANDBOURGH,

*Copy of a Memorial presented by Sir JOSEPH YORKE, to the States General of the United Provinces.*

“ High and Mighty Lords,

“ The King of Great Britain, from the friendship he has for your High Mightinesses, and taking into consideration the regard reciprocally between Sovereigns, has hitherto forbore interfering in the negotiation which has been carrying on relative to the protection to be given to the transportation of all sorts of naval stores during the war, which is actually carrying on between your High Mightinesses and France, but the last proceedings of the French Ambassador forbid his keeping silence any longer, and his Majesty would think he wronged the ancient leagues between his crown and your High Mightinesses, if he did not inform them to what danger they will expose themselves, by listening to proposals which

which will oblige them to infringe a neutrality which they have so often declared they wished to support, and which at once attack their independence, sap the basis of their government, and threaten nothing less than their disunion.

“ Your High Mightinesses are too well instructed not to feel that a foreign power, who takes upon itself the right of granting particular favours to part of your government to the prejudice of the rest, can have no other view than to sow discord, and to break the ties which unite you; and that if other powers were to follow the same example, the Republic would be torn to pieces by an internal combustion, and an universal anarchy would succeed.

“ Thus far the interest only of your High Mightinesses seems concerned; but when we perceive that the end of all these intrigues is manifestly designed to cause the Republic to quarrel with the King, and to bring on a war between your High Mightinesses and Great Britain, under the seducing pretence of a perfect neutrality and the interest of trade, the King can no longer remain an indifferent spectator, but finds himself obliged to lay before your High Mightinesses the danger into which France wishes to plunge you.

“ What right has France to dictate to your High Mightinesses the arrangements you ought to make with England? When and how has that Court obtained any such right? The treaty which your High Mightinesses do, and which the King might reclaim, contains nothing of that kind; it must therefore be sought for in the ambitious views of that power, which has made a league with the rebels of America, and now endeavours to bring other states into it with them.

“ In October last the King, in an amicable manner, communicated his situation and sentiments to your High Mightinesses, by a memorial deli-

vered to your Envoy, Count Weldern, by the late Lord Suffolk, in which he explained his views, and the necessity he was under to defend himself against an enemy, who had attacked him by surprize in an unjust manner; and although that enemy has gone so far as to dictate to your High Mightinesses, what they were to do during the present troubles, his Majesty, far from imitating any such arbitrary conduct, only proposed to your High Mightinesses to confer with his Ambassador upon what was most proper to be done for the security, &c. of the two countries. Your High Mightinesses, it is true, to my great regret, thought proper to decline this offer, and to insist upon the literal and strict observance of a treaty which you yourselves must see is incompatible with the security of Great Britain, and contrary to the spirit and stipulations of all the future treaties between the two nations.

“ What object can be more important, more indispensable, than that of depriving the enemy of any materials which may enable them to redouble their efforts during the war, and how can a protection of those materials be reconciled to the alliances so often renewed between the two nations, or with the assurances of friendship, which your High Mightinesses are continually professing to the King? To prevent future bad consequences, and to assure the Republic of the unequivocal friendship his Majesty entertains for this Republic, the King has ordered me to assure your High Mightinesses of the ardent desire he has to cultivate good harmony between the two nations, to renew the promises he made to them to maintain the liberties of legal trade to their subjects, agreeable to the orders given to the King's ships and privateers, notwithstanding the advantage that may result from it to the enemy; but his Majesty orders me to add, that he cannot depart  
from

from the necessity he is under of excluding the transportation of naval stores to the ports of France, and particularly timber, even if they are escorted by men of war.

“ The example which France has set of favouring some members of the Republic to the detriment of others, so directly contrary to the union and independence of your High Mightinesses, the King hopes never to be obliged to follow, unless a condescension to the views of France obliges him to take that method of making amends to those members of the Republic who are hurt by the partiality of his enemies. His Majesty always thought it derogatory from the dignity of sovereignty to sow discord in any neighbouring estates.

“ The last edict published by the Court of France, which excepts the cities of Amsterdam and Haerlem from certain duties imposed on the other members of the Republic, to punish them for having made use of that sovereign right which belongs to them, cannot but shew all Europe the motives which have engaged France to league with America:

“ The King is always ready to do all in his power for the advantage and tranquility of the subjects of the Republic, provided it is not incompatible with the interests of his kingdoms.

“ He flatters himself, that your High Mightinesses will, on this occasion, consult your true interests, without suffering yourselves to be intimidated by foreign views, and that you will co-operate by that means to keep up the good intelligence between the two nations, and that his Majesty may never be obliged to take other measures towards the Republic, than those which friendship and good harmony may dictate.

(Signed)  
JOSEPH YORKS.”

Hague, April 9, 1779.

To SILAS DEANE, Esq.

After reading a few lines of your address to the public, (See page 185.) I can truly say, that concern got the better of curiosity, and I felt an unwillingness to go through it. Mr. Deane must very well know, that as I have no interest in, so likewise am I no stranger to his negociations and contracts in France; his difference with his colleagues, the reason of his return to America, and the matters which have occurred since. All these are to me familiar things; and while I can but be surprized at the conduct of Mr. Deane, I lament the unnecessary torture he has imprudently occasioned. That disagreements will arise between individuals, even to the perplexity of a State, is nothing new, but that they should be outrageously brought forward, by one; whose station abroad should have taught him a delicacy of manners, and even an excess of prudence, is something strange. The mind of a *living* public is quickly alarmed and easily tormented. It not only suffers by the stroke, but is frequently fretted by the cure, and ought therefore to be tenderly dealt with, and *never to be trifled with*. It feels first, and reasons afterwards. Its jealousy keeps vibrating between the accused and the accuser, and on a failure of proof always fixes on the latter. Had Mr. Deane's address produced no uneasiness in the body he appeals to, it would have been a sign, not of tranquility, but death; and though it is painful to see it unnecessarily tortured, it is pleasant to contemplate the living cause.

Mr. Deane is particularly circumstanced. He has advantages which seldom happen, and when they do happen, ought to be used with the nicest care and the strictest honour. He has the opportunity of telling his own tale, and there is none to reply to him. Two of the gentlemen he so freely censures, are three thousand miles

smiles off; and the other two he so freely affronts are Members of Congress, one of them likewise, Col. R. H. Lee is absent in Virginia, and however painful may be their feelings, they must attend the progressive conduct of the house. No Member in Congress can individually take up the matter without being inconsistent, and none of the public understands it sufficiently. With these advantages Mr. Deane ought to be nicely and strictly the gentleman, in his language, his assertions, his intimations and his facts. He presents himself, as his own evidence, upon his honour, and any misrepresentation or disingenuous trifling in him will be fatal.

Mr. Deane begins his address with a general display of his services in France, and strong insinuations against the Hon. Arthur and William Lee; he brings his complaints down to the time of signing the treaty, and from thence to the fourth of March, when he received the following order of Congress, which he inserts at large;

*In Congress, December 8, 1777.*

“WHEREAS it is of the greatest importance that Congress should at this critical conjuncture be well informed of the state of affairs in Europe. And whereas Congress have resolved that the Honourable Silas Deane, Esq. be recalled from the Court of France, and have appointed another Commissioner to supply his place there. Ordered, that the Committee for foreign correspondence, write to the Honourable Silas Deane, and direct him to embrace the first opportunity of returning to America, and upon his arrival to repair with all possible dispatch to Congress.”

Mr. Deane then says, “and having placed *my papers and yours in safety*, I left Paris the 30th to embark for my native country, on board that fleet which your great and generous ally sent out for your assistance, in full con-

*fidence that I should not be detained on the business I was sent for.”*

I am obliged to tell Mr. Deane that this arrangement is somewhat uncandid, for on the reading it, it creates an opinion and likewise carries an appearance that Mr. Deane was only sent for, as the necessary and proper person from whom Congress might obtain a history of their affairs, and learn the characters of their foreign Agents, Commissioners and Ambassadors, after which Mr. Deane was to return. Is Mr. Deane so little master of address as not to know that censure may be politely conveyed by an apology? For however Mr. Deane may chuse to represent or misrepresent the matter, the truth is, that *his* contracts and engagements in France, had so involved and embarrassed Congress, that they found it necessary and resolved to recall him, that is, *ordered him home*, to give an account of his *own* conduct, and likewise to save him from a train of disagreeable consequences, which must have arisen to him had he continued in France. I would not be supposed to insinuate, that he might be thought *unsafe* but *unfit*. There is a certain and necessary association of dignity between the person and the employment, which perhaps did not appear when Mr. Deane was considered the Ambassador. His address to the public confirms the justness of this remark. The spirit and language of it differs exceedingly from that cool penetrating judgment and refinement of manners and expression which fits, and is absolutely necessary in the Plenipotentiary. His censures are coarse and vehement, and when he speaks of himself, he begs, nay almost weeps to be believed.—It was the intricacy of Mr. Deane's *own official* affairs, his multiplied contracts in France before the arrival of Dr. Franklin or any of the other Commissioners: his assuming authorities, and entering into en-



gements, in the time of his Commercial Agency, for which he had neither commission nor instruction, and the general unsettled state of his accounts that were among the reasons, that produced the motion for recalling and superseding him.—Why then does Mr. Deane endeavour to lead the attention of the public to a wrong object, and to bury the real reasons under a tumult of new and perhaps unnecessary suspicions?

Mr. Deane in the beginning of his address to the public says, “What I write to you, I would have said to your Representatives; *their ears have been shut against me*, by an attention to matters, which my respect for them induces me to believe were of *more importance.*”

In this paragraph Mr. Deane's excuse becomes his accuser, and his justification is his offence; for if the greater importance of other matters is supposed and given by himself as a reason why he was not heard, it is likewise a sufficient reason why he ought not to have complained that “*their ears were shut,*” and a good reason why he ought to have waited a more convenient time. But besides the inconsistency of this charge, there is something in it that will suffer by an enquiry, and I am sorry that Mr. Deane's imprudence has obliged me to mention a circumstance which affects his honour as a gentleman, his reputation as a man. In order to be clearly understood on this head, I am obliged to go back with Mr. Deane to the time of his quitting France on account of his being recalled. “I left Paris, says Mr. Deane, on the 30th of March, 1777, to embark for my native country, having placed *my papers and yours in safety,*” would any body have supposed that a gentleman in the character of a public Commercial Agent, and afterwards in that of a public Minister, would return home after seeing himself both recalled and superseded, and not bring with him his papers and vouchers, and

why he has done so must appear to every one exceedingly unaccountable? After Mr. Deane's arrival, he had *two audiences* with Congress in August last, in neither of which did he offer the least charge against the gentlemen he has so loudly upbraided in his address to the public, neither has he yet accounted for his expenditure of public money, which as it might have been done by a written state of accounts, might for that reason have been done at any time, and was a part of the business which required no audience.

There is something curiously intricate and evasive in Mr. Deane's saying in his address, that he left France “in full confidence that he should not be detained on the *business he was sent for.*” And the only end it can answer to him is to furnish out a present excuse for not producing his papers. Mr. Deane had no right, either from the literal or implied sense of the resolution itself to suppose that he should return to France in his former public character, or that he was “*sent for,*” as he styles it, on any other personal business than that which related to himself. Mr. Deane must be sensible, if he will but candidly reflect, that as an Agent only, he greatly exceeded his line, and embarrassed the Congress, the continent, the army and himself.

Mr. Deane's address to the public is dated Nov.—, but without any day of the month, and here a new scene of ungentle evasion opens. On the last day of that month, viz. the 30th, he addressed a letter to Congress signifying his intentions of returning to France, and pressing to have his affairs brought to some conclusion, which, I presume, on account of the absence of his papers could not well be done, therefore Mr. Deane's address to the public must be written before the 30th, and consequently before his letter to Congress, which carries an appearance of its being only a feint, in order to make a confused diversion in his favour at the

the time his affairs should come under consideration.

What favours this opinion is, that on the next day, that is, December 1st, and partly in consequence of Mr. Deane's letter to them of the 30th, the Congress entered the following resolution :

*In Congress, December 1, 1778.*

“Resolved, That after to-morrow Congress will meet two hours at least each evening, beginning at six o'clock, Saturday-evenings excepted, until the present state of their foreign affairs be fully considered.”

As an enquiry into the state of foreign affairs naturally and effectually included all and every part of Mr. Deane's, he was thereupon regularly notified by letter to attend; and on the *fourth* he wrote again to Congress, acquainting them with his having received that notification, and expressed his thanks; yet on the day following, viz. the *fifth*, he published his extraordinary address in the newspapers, which on account of its unsupported matter, the fury of its language and temper, and its inconsistency with other parts of his conduct, is incompatible with that character (which on account of the station he had been honoured with, and the sense that should have impressed him in consequence thereof,) he ought to have maintained.

On the appearance of Mr. Deane's address, the public became jealously uneasy, and well they might. They were unacquainted with the train of circumstances that preceded and attended it, and were naturally led to suppose, that Mr. Deane, on account of the station he had filled, must be too much a gentleman to deceive them. It was Mr. Deane's particular fortune to grow into consequence from accident. Sent to France as a Commercial Agent under the appointment of a Committee, he arose, as a matter of convenience, to the station of a Commissioner of Con-

gress; and with what dignity he might fill out that character, the public will judge from his conduct since; and perhaps be led to substitute convenience as an excuse for the appointment.

A delicacy of difficulties likewise arose in Congress on the appearance of the said address; for setting aside the matter, the irregular manner of it, as a proceeding, was a breach of decency; and as Mr. Deane, after being notified to attend an enquiry into foreign affairs, had circumstantially withdrawn from that mode, by appealing to the public, and at the same time said, “*their ears were shut against him,*” it was therefore given as a reason by some, that to take any notice of Mr. Deane in the interim would look like suppressing his public information, if he had any to give, and consequently would imply dishonour on the House, and that as he had transferred his case to the public, before it had been rejected by the Congress, he ought therefore to be left with the public, till he had done with them and they with him; and that whether his information was true or not, it was an insult on the people, because it was making them the ladder, on which he insulted their representatives, by an unjust complaint of neglect—Others who might anticipate the anxiety of the public, and apprehend discontents would arise from a supposed inattention, were for adopting measures to prevent them, and of consequence inclined to a different line of conduct, and this division of sentiment on what might be supposed, the honour of the House, occasioned the then *President*, Henry Laurens, Esq. who adhered to the former opinion, to resign the chair; the majority on the sentiments was a single vote. In this place I take the liberty of remarking, for the benefit of succeeding generations, that the Honourable President before-mentioned having filled that

station for one year in October last, made his resignation of the Presidency at the expiration of the year, lest any example taken from his continuance might hereafter become inconvenient. I have an additional satisfaction in mentioning this useful historical anecdote, because it is done wholly unknown to the gentleman to whom it relates, or to any other gentleman in or out of Congress. He was replaced by a unanimous vote. But to return to my narration——

In the Pennsylvania Packet of December 8th, (see p. 190,) Mr. Lee, brother to the gentleman so rudely treated in Mr. Deane's publication, and the only one now present, put in a short address to the public, requesting a suspension of their judgment till the matter could be fully investigated by those whose immediate business it became; meaning Congress. And Mr. Deane published another note, in which he informs, "that the Honourable Congress did, on Saturday morning the 5th instant, assign Monday evening to hear him." But does Mr. Deane conceal the resolution of Congress of December 1st, in consequence of which he was notified to attend regularly an enquiry into the state of foreign affairs? By so doing, he endeavours to lead the public into a belief that his being heard on Monday was extorted purely in consequence of his address of the 5th, and that otherwise he should not have been heard at all. I presume Congress are anxious to hear him, and to have his accounts arranged and settled; and if this should be the case, why did Mr. Deane leave his papers in France and now complain that his affairs are not concluded? In the same note Mr. Deane likewise says, "that Congress did on that evening, Monday, resolve, That Mr. Deane do report in writing, as soon as may be, his agency of their affairs in Europe, together with any intelligence respecting their foreign affairs which he may

judge proper." But why does Mr. Deane omit giving the remaining part of the resolution, which says, "That Mr. Deane be informed, that if he has any thing to communicate to Congress in the interim of *immediate importance*, that he should be heard to-morrow evening?" I can see no propriety in omitting this part, unless Mr. Deane concluded that by publishing it he might put a quick expiration to his credit, by his not being able to give the wondrous information he had threatened in his address. In the conclusion of this note, Mr. Deane likewise says, "I therefore conceive that I cannot, with propriety, continue my narrative at present. In the meantime, I submit it to the good sense of the public, whether I ought to take any notice of a publication signed Francis Lightfoot Lee, opposed to *stubborn and undeniable facts*."

Thus far I have compared Mr. Deane with himself, and whether he has been candid or uncandid, consistent or inconsistent, I leave to the judgment of those who read it. Mr. Deane cannot have the least right to think that I am moved by any party difference or personal antipathy. He is a gentleman with whom I never had a syllable of dispute, nor with any other person upon his account. Who are his friends, his connections, or his foes, is wholly indifferent to me, and what I have written will be a secret to every body till it comes from the press. The convulsion which the public were thrown into by his address, will, I hope, justify my taking up a matter in which I should otherwise have been perfectly silent; and whatever may be its fate, my intention is a good one; besides which there was no other person who knew the affair sufficiently, or knowing it, could consistently do it, and yet it was necessary to be done.

I shall now take a short review of what Mr. Deane calls "*stubborn and undeniable*

*undeniable facts.*" Mr. Deane must be exceedingly unconvertant both with terms and ideas, not to distinguish between even a wandering probability and a fact; and between a forced implication and a proof; for admitting every circumstance of information in Mr. Deane's address to be true, they are still but circumstances, and his deductions from them are hypothetical and inconclusive.

Mr. Deane has involved a gentleman in his unlimited censure, whose fidelity and personal qualities I have been well acquainted with for three years past, and in respect to an absent injured friend, Col. Richard Henry Lee, I will venture to tell Mr. Deane, that in any stile of character in which a gentleman may be spoken of, Mr. Deane would suffer by a comparison. He has one defect which perhaps Mr. Deane is acquainted with, the misfortune of having but one hand.

The charges likewise which he advances against the Hon. Arthur and William Lee, are, to me, circumstantial evidences of Mr. Deane's unfitness for a public character; for it is the business of a foreign minister to learn other men's secrets, and keep their own. Mr. Deane has given a short history of Mr. Arthur Lee and Dr. Berkenhout in France, and he has brought the last mentioned person again on the stage in America. There is something in this so exceedingly weak, that I am surpris'd that any one who would be thought a man of sense, should risk his reputation upon such a frivolous tale; for the event of the story, if any can be produced from it, is greatly against himself.

He says, that a correspondence took place in France between Dr. Berkenhout and Mr. Lee; that Mr. Lee shewed part of the correspondence to Dr. Franklin and himself, and that in order to give the greater weight to Dr. Berkenhout's remarks, he gave them to understand, that Dr. Berkenhout was in the secrets of the British

Ministry. What Mr. Deane has related this for, or what he means to infer from it, I cannot understand; for the political inference ought to be, that if Mr. Lee really thought that Dr. Berkenhout was in the secrets of the British Ministry, he was therefore the very person with whom Mr. Lee ought, as an Ambassador, to cultivate a correspondence, and introduce to his colleagues, in order to discover what those secrets were, that they might be transmitted to America; and if Mr. Deane acted otherwise, he unwisely mistook his own character. However, this I can assure Mr. Deane, upon my own knowledge, that more and better information has come from Mr. Lee than ever came from himself; and how, or where he got it, is not a subject fit for public enquiry, unless Mr. Deane means to put a stop to all future informations. I likewise tell Mr. Deane, that Mr. Lee was particularly commissioned by a certain body, and that under every sacred promise of inviolable secrecy, to make discoveries in England, and transmit them. Surely Mr. Deane must have left his discretion with his papers, or he would see the imprudence of his present conduct.

In the course of Mr. Deane's narrative he mentions Dr. Berkenhout again. "In September last, (says he) I was informed that the Doctor Berkenhout, who I have before mentioned, was in gaol in this city. I confess I was surpris'd, considering what I have already related, that this man should have the audacity to appear in the capital of America." But why did not Mr. Deane confront Dr. Berkenhout while he was here? Why did he not give information to Congress, or to the Council before whom he was examined, and by whom he was discharged and sent back for want of evidence against him? Mr. Deane was the only person that knew any thing of him, and it looks very unfavourable in him that he was silent when he should have

have spoke, if he had any thing to say; and now he is gone, has a great deal to tell, and that about a nothing. "I immediately (says Mr. Deane) *sats myself about the measures which I conceived necessary to investigate his plans and designs.*" This is indeed a trifling excuse, for it wanted no great deal of *setting about*, the whole secret as well as the means being with himself, and half an hour's information might have been sufficient. What Mr. Deane means by "*investigating his plans and designs,*" I cannot understand, unless he intended to have had the Doctor's nativity cast by a conjurer. Yet this trifling round-about story is one of Mr. Deane's "stubborn and undeniable facts." However, it is thus far a fact, that Mr. Deane kept it a secret till the man was gone.

He likewise entertains us with a history of what passed at New-York between Doctor Berkenhout and Governor Johnstone; but as he must naturally think that his readers must wonder how he came by such knowledge, he prudently supplies the defect by saying "that Providence, in whom we put our trust, *unfolded it to me,*" revealed it, I suppose. As to what Dr. Berkenhout was, or what he came for, is a matter of very little consequence to us. He appeared to be a man of a good moral character, of a studious turn of mind, and genteel behaviour, and whether he had whimsically employed himself, or was employed on a foolish errand by others, is a business not worth our enquiring after; he got nothing here, and to send him back was both necessary and civil. He introduced himself to General Maxwell at Elizabeth-town, as knowing of Mr. Arthur Lee; the General wrote a letter of information to Col. R. H. Lee, who presented the same to Congress. But it does not appear that Mr. Deane moved in the matter till a considerable time after the Doctor was sent off, and then Mr. Deane put a series of queries in the news-

paper to know why he was let go. I little thought at that time that the queries were Mr. Deane's, as they really appeared to me to be the produce of some little mind.

Mr. Deane likewise tells us, that Mr. A. Lee was suspected by some of our best friends because of his acquaintance with Lord Shelburne; and perhaps some Mr. Deane in England will find out that Lord Shelburne ought to be suspected because of his acquaintance with Mr. Lee. Mr. Deane appears to me neither to understand characters nor business, or he would not mention Lord Shelburne on such an occasion, whose uniform and determined opposition to the Ministry appears to be known to every body but Mr. Deane. Mr. Deane has given us a quotation from a letter which he never saw, and had it likewise from a Gentleman in France who had never seen it, but who had heard it from a correspondent in England to whom it was not sent, which correspondent has seen the person to whom it was sent; and this traditionary story is another of Mr. Deane's *stubborn and undeniable facts.* But even supposing the quotation to be true, the only inference from it is naturally this, "*That the sooner England makes peace with America, the better it will be for her.*" Had the intimation been given before the treaty with France was signed, it might have been justly censured; but being given after, it can have but one meaning, and that a clear one. He likewise says, that Mr. Fox "declared pointedly in the House of Commons," that the treaty between France and America was signed, and as Mr. Fox knows Lord Shelburne, and Lord Shelburne Mr. Lee, therefore Mr. Deane infers, "as a stubborn and undeniable fact," that Mr. Lee must tell it. Does Mr. Deane know that nothing can be long a secret in a court, especially where the countries are but twenty miles apart, and that Mr. Fox, from his ingratiating manners,

is almost universally known in France. Mr. Deane likewise supposes that William Lee, Esquire, continues an Alderman of London, and either himself or some other gentleman since, under the signature of OBSERVATOR, says that "he has consulted, on this point, the Royal Kalendar or Annual Register," and finds it true.

---To consult a Kalendar to find out a name must be a learned consultation indeed! An Alderman of London is neither a place at Court nor a place of profit, and if the City chuses not to expel him, it is a proof they are very good Whigs; and this is the only proved fact in Mr. Deane's address. But there is, through the whole of it, a barbarous, unmanly, and unsupported attack on absent characters, which are, perhaps, far superior to his own; an eagerness to create suspicion, wherever he can catch an opportunity; an over-strained desire to be believed; and an affected air of giving importance to trifles. He accuses Mr. Lee of incivility to the French nation. Mr. Lee, if I can judge by his writing, is too much both of a scholar and a gentleman to deserve such a censure. He might with great justice complain against Mr. Deane's contracts with individuals; for we are fully sensible, that the gentlemen which have come from France since the arrival of Dr. Franklin and Mr. Lee in that country, are of a different rank to the generality of those with whom Mr. Deane contracted when alone: and this observation will, I believe, explain that charge no ways to Mr. Deane's honour.

Upon the whole, I cannot help considering this publication as one of the most irrational performances I ever met with. He seems in it to pay no regard to individual safety, nor cares who he may involve in the consequences of his quarrel. He mentions names without restraint, and stops at no discovery of persons. A public man, in Mr. Deane's former character, ought to be as silent as the grave; for who would trust a person

with a secret who shewed such a talent for revealing? Under the pretence of doing good, he is doing mischief; and in a tumult of his own creating, will expose and distress himself.

Mr. Deane's address was calculated to catch several sorts of people: the rash, because they are fond of fiery things; the curious, because they are fond of curiosities; the weak, because they easily believe; the good, because they are unsuspicious; the Tory, because it comforts his discontent; the high Whig, because he is jealous of his rights; and the man of national refinement, because it obscurely hints at national dishonour. The clamour, it is true, has been a popular one, and so far as it is the sign of a living principle, it is pleasant to see it; but when once understood, it will amount to nothing, and with the rapidity that it rose, it will descend.

COMMON SENSE.  
*Philadelphia, Dec. 24, 1778.*

*Philadelphia. February 10. 1779.*

Last Saturday, being the anniversary of forming the alliance between France and the United States, the Hon. the Congress gave a public entertainment to his Excellency the Minister Plenipotentiary of his Most Christian Majesty, at which the following toasts were drank, under a discharge of cannon:

1. May the alliance between France and the United States be perpetual.
2. The United States.
3. His Most Christian Majesty.
4. The Queen of France.
5. His Most Catholic Majesty.
6. The Princes of the House of Bourbon.
7. Success to the allied arms.
8. General Washington and the army.
9. The Friends of Liberty in every part of the world.
10. May the New Constellation rise to the Zenith.
11. May the American *Stripes* bring Great Britain to reason.
12. The memory of the patriots who have nobly fallen in defence of the liberty and independence of America.
13. A safe and honourable peace.

The

The cheerfulness which existed in the company, upon the happy occasion of their being assembled, was not to be exceeded; and a thousand brilliances alluding to the alliance were uttered. There can be no doubt but that every true American, and every true Frenchman, will contribute his efforts to preserve that connection which is formed by the alliance, and which is so necessary to the happiness and aggrandisement of both nations. Their mutual interests dictate such a conduct in the strongest and most affectionate terms. The principles of the alliance are founded in true policy, and equal justice; and it is highly probable that mankind will have cause to rejoice in this union, which has taken place between two nations; the one the most puissant in the old, and the other the most powerful in the new world.

*Philadelphia, March 4. 1779.*  
*Extract of a letter from Gen. WASHINGTON to Congress, dated head quarters, Middle Brook, February 26, 1779.*

“Yesterday morning a detachment of the enemy from Staten Island made an attempt to surprize the post at Elizabeth-town. On receiving information of it, General St. Clair, with the Pennsylvania division, and General Smallwood, with the Maryland division were put in motion by different routes to form a junction at the Scotch Plains, and proceed to reinforce General Maxwell, and act as circumstances should require. Intelligence of the sudden retreat of the enemy occasioned their recall before they had advanced far. The inclosed copy of a letter from Gen. Maxwell, will furnish all the particulars I have received of this fruitless incursion:”

*Extract of a letter from Brigadier General MAXWELL to General WASHINGTON, dated Elizabeth-town, February 25, 1779.*

SIR,

“The enemy attempted a surprize this morning. They disembarked a-

bout three o'clock, at which time Col. Ogden, officer of the day, obtained information, and conveyed it to me. Their landing was made on our left, as it appeared, the most unsuspected part, being a very difficult marsh.

“Not knowing their design or numbers, after assembling the troops, I marched them to the rear of the town, that they might not turn our left flank or gain our rear. When day-light ensued, we pressed upon the enemy, who were then retiring to their boats; in the pursuit a few of them were killed, and some others fell into our hands.

“During our absence from the town, they collected a number of cattle and horses, which, upon our advancing, immediately fell into our hands. They returned by the same difficult and almost inaccessible marsh of salt meadow. Colonels Drayton, Ogden, and Barber, with select and different detachments, pursued them, but the quickness of their embarkation, added to the difficulty of the marsh, prevented any other success than capturing one of their boats with the hands.

“Our loss, I think, does not amount to more than three or four men: Major Ogden, who first reconnoitred the enemy, received a sudden wound with a bayonet, but it is hoped not dangerous.

“The militia assembled on this occasion with the utmost alacrity; and Colonel Shrieve, from Newark, having early taken alarm, marched immediately to our support.

“The enemy's design and expectation by this movement was undoubtedly a complete surprize; in which I am happy to acquaint your Excellency they were as completely disappointed.

“Your Excellency may expect a more particular account in my next.

*Published by order of Congress,*  
 CHARLES THOMSON, Sec.”

When

*For the REMEMBRANCE.*

When Mr. Silas Deane's letter appeared, (see page 185) notwithstanding the facts there asserted, and the respectability of the character, who openly laid them before the public, I was willing to suspend my judgment—I expected that some of Mr. Lee's friends, or connections, would at least have attempted to disprove such of the facts alledged in the address, as from their acquaintance with public transactions, and their intimate correspondence with Messrs. Arthur and William Lee, they must necessarily have it in their power to satisfy the public mind on it without any delay.

The facts I allude to are these—Whether Mr. Arthur Lee is, or is not, Commissioner both to the Courts of Versailles and of Madrid?

Whether he was not an intimate acquaintance of Dr. Berkenhout, corresponded with him on subjects of a political nature, during Mr. Lee's residence at Paris, and gave him letters of introduction to his brother the Honourable R. H. Lee?

Whether Mr. William Lee is, or is not, Commissioner to the Courts of Vienna and Berlin, and Commercial Agent for the Congress in Europe?

Whether this gentleman did not, since his appointment to offices of public trust under the United States, hold his office of Alderman of the City of London, and whether he does not still hold that office?

Whether Mr. Williams, of Boston, who transacted the commercial business of these States for two per cent. has not been disgraced, and whether Mr. Lee, with his Agents, do not receive five per cent. for doing the same business?

These, surely, are points which require no longer consideration to answer, and in which the interest, safety, and reputation of these States are intimately concerned. With re-

VOL. VII.

spect to Dr. Berkenhout's conversation with the person who accompanied him to New-York, and the letter said to be written by Mr. A. Lee to a friend, in England on the day the treaty of Paris was signed, and some other points contained in Mr. Deane's negotiation, they are circumstances which require a longer time for a proper investigation; though the first point, I should imagine, might soon be ascertained, as the person giving the information, is said to be of this city; but these circumstances, if true, however alarming they are (especially at a time when war has not been formally declared either by France or England; and when there is too much reason to think that private Agents are residing under the eye of the Congress, and of the Ambassador of his Most Christian Majesty) do not affect me so much as the circumstance of so many, so important, and such various and incompatible offices being vested in one family, however great their abilities or pretensions to the public favour may be.—I am an old man, Mr. Printer, who, though I have been prevented myself by infirmities from taking an active part in this glorious revolution, have constantly had two sons in the service of my country—I had cherished the flattering prospect that my children were hazarding their lives not only to repel a cruel enemy, but to secure to themselves and their posterity the enjoyment of a government founded upon such principles, as promised fair to secure the liberties of those living under it. History has taught me to know that this cannot long be the case, where great power and trust is vested in any one family—It is the nature of power to secure and enlarge itself, to forget the purposes for which it was granted, and the source from whence it was derived. If the page of history had been silent on this point, one would have ima-

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gined that the bad effects of family influence in the States of Pennsylvania and New-York, would have made both Congress and the different States cautious on this point. Gracious Heavens! is it possible that in the infancy of our rising Republics, two brothers of one family, should represent the interests and sovereignty of these United States at four of the principal Courts in Europe; and that two others of the same family, should exercise the highest acts of sovereignty in our great Council, and thereby possess the power of securing and protecting their connections, however unfit their characters might be for the offices they fill, or however injuriously they may have acted in the public service. I do not say this is the case at present; I pretend not to enter into the merits of Messieurs Lees characters, or to peep behind the curtain; but, surely, it behoves us to guard against dangerous precedents. Independent of this grand consideration, there are two others which ought to have great weight; the first is, that other nations, whose eyes are now fixed upon us, will be led to imagine, either that there is a great dearth of abilities or virtue in other individuals, when we violate one of the first maxims of a Free State, by vesting such vast powers in one family; or that our Councils are tainted by the spirit of faction and intrigue. The second is, that it naturally tends to point out to our enemies, those persons to obtain whose influence and confidence they ought in policy to spare neither act, or any other means whatsoever, in hopes, either of seducing us from an union of force with our great and generous ally, or, by affecting to treat clandestinely about the acknowledgment of our Independence, of rousing the suspicions of the Court of Versailles, and thereby inducing her, from irresistible motives of po-

licy, to conclude a negociation with Great Britain, by which all our struggles may be frustrated, and our liberties sacrificed. Of this wicked policy these persons may become the unwary instruments, which I fear is the case at present, and shudder at the consequences. With respect to Mr. William Lee's holding, in conjunction with his office as Commissioner to the two Courts, the office of a Commercial Agent, and that of Alderman of the City of London, there is something so unaccountably ridiculous in it, that my respect for the Honourable Congress constrains me to think (notwithstanding the weight of Mr. Deane's character) either that he must be mistaken, or that Congress were unacquainted with the last circumstance, and had been led into the other by intention, which the wisest bodies are sometimes liable to.

Mr. F. Lee seems to entertain a doubt of the decency of Mr. Deane's address with respect to the Honourable Congress, and the propriety of the publication at this time.

With respect to the decency of the address, it appears to me conceived in such terms as can give no just cause of offence to any body of men, however dignified—Policy naturally induced every well-wisher to our cause, at the commencement of the contest, to impose a self-restraint both in speaking and writing, so long as the power exercised by Congress was (if I may use the expression) held by courtesy, and it was necessary, for the preservation of our liberties, to give that Honourable Body deep root in the confidence of the people; but (thanks to that Providence which has blest our virtuous exertions) the reasons for so vigorous a restraint no longer exists. The danger now is, not that we should injure the common cause by examining the conduct of those who are in power with a decent freedom, but that under the false

false idea of decency we should become the suicides of our own liberties, by forbearing too long to exercise that right of speaking and writing with a decent boldness, of public men and measures, which is unalienable in a citizen of a Free State. It is worthy observation, that free governments have oftener been imperceptibly subverted by an inattention or forbearance of the people to exercise their rights than by any violent or sudden usurpation of those in power—I trust that no other Member in that Honourable Body feels any soreness with respect to the decency of Mr. Deane's publication: I have too good an opinion of their sense and love of liberty to think they do; but as I may be mistaken, let an old man, whose passions have subsided (and Legislators, like old men, ought to have none) entreat every individual Member to examine his own feelings on this subject, and if he feels his congressional pride wounded, he may be assured it is high time he should mix with the mass of the people, and get again electrified with a portion of that stern and republican virtue which entitled him to the confidence of his constituents, and which can alone maintain it. I must likewise differ with Mr. F. Lee on the propriety of Mr. Deane's publication at this juncture—If what Mr. Deane says is true (and I must suppose so till proved to the contrary) that he has been urging the Honourable Congress for months past, without any effect, to hear him, this, in my opinion, would be a sufficient justification; but when the nature and importance of the information is considered, the danger we have run by harbouring one under negociator, and the disgrace we have suffered by allowing him to escape (not to say any thing of

the apprehensions of every honest Whig with respect to another mysterious character now in this city, which possibly might had some influence on Mr. Deane's mind) I think no reflecting Patriot can doubt of the propriety and seasonableness of the publication. I have an unvariable rule of judging of the propriety of a measure, which is, the effect it produces on the minds of the different classes of the people; and I can assure you, Mr. Printer, that a number of my neighbours, on the day of the publication, came rushing into my room, where I have been for some time confined with the gout in one of my feet, to urge me to go with them to find out Mr. Deane, and exercise our rights for his watchful care over the public weal; and, though I am cautious of doing any thing which may render people in high character prouder than their situation is too apt to make them, if I had obeyed the first impulse of my mind, I should have called for my crutches, and complied with my friends wishes, whom, with some difficulty, I restrained from going. I am told this has been the case in other parts of this city—Since that, I have been informed that the Tories and disaffected have expressed their disapprobation of Mr. Deane's publication, which is another good symptom of its propriety. I have unwarily been led into a longer publication than I intended; but as loquacity is the failing of old age, I hope it will be excused in one who is your constant reader and customer. *Pennsylvania Packet.*] SENEX \*.

It is expected by the public that you will comply with your promise of publishing impartially the papers on both sides in Mr. S. Deane's controversy. If none but the collectors

\* Senex is supposed to be Robert Treatate Payne, Esq. late one of the Delegates to Congress from Massachusetts-Bay.

of Mr. Deane's Tory friends and abettors are to appear before the public, it is impossible that a fair and honest judgment can be formed. By desire you published a piece signed *Senex*, but you have never favoured the public with a complete and sensible answer to *Senex* published also in the Pennsylvania packet. Perhaps you never received one; when you do, you will publish it. In the mean time, be so kind to print the following answer to *Senex*, which I pledge the reputation of an honest man to be the truth. The first question of *Senex* is, Whether Mr. Arthur Lee is, or is not, Commissioner both to the Courts of Versailles and Madrid? Answer, No.

2d Question, Whether he was not an intimate acquaintance of Dr. Berkenhout, corresponded with him on subjects of a political nature during Mr. Lee's residence at Paris, and gave him letters of introduction to his brother the Hon. R. H. Lee? Answer, Mr. R. H. Lee has already answered the latter part of this question in the most positive manner, No; and for the former part, it is incumbent on *Senex* to prove that being an intimate acquaintance with Dr. Berkenhout was blameable. He should prove also that Dr. Lee corresponded with Dr. Berkenhout on political subjects, and it is very material that you should prove this political correspondence to have contained in it any thing criminal, otherwise a just and candid man would suppose, until the contrary was proved, that Dr. Berkenhout was not an unworthy acquaintance; and that as Dr. Lee had displayed the strongest attachments to America, his native country, and had most ably supported its cause by his writings, if such correspondence had existed, that it was not only innocent, but laudable.

3d Question, Whether Mr. William Lee is, or is not, Commissioner to the Courts of Vienna and Berlin,

and Commercial Agent for the Congress in Europe? Mr. Lee's letter to his friend in Congress, dated November 24, 1777, from Paris, will give to this question the following decisive answer: "In fact, the publick business in this country has been, and is likely to continue in strange disorder; for is it likely to mend *until the Secret Committee confine all their mercantile business to their mercantile Agents, and keep the Commissioners to their political duty, which may be neglected from too much attention to private schemes of commerce on public funds, and contemptible private jobs. I am now out of the question, therefore cannot be charged with partiality in my advice. I shall from henceforth take my leave of this department, keeping my attention entirely confined to the charge which is committed to my care.*" The truth is, that Mr. Lee understood, as did every body else, that his political had superseded his commercial appointment. The reason was evident; the scene of commerce was in France, that of politics far off in Germany. It is also true, that although Mr. William Lee has thus, in November, as he expresses it, "*taken his leave*" of the commercial department, yet the Commissioners at Paris, who were directed to furnish him with copies of the treaties to propose to Vienna and Berlin, delaying to do this, and other political obstructions intervening to stay Mr. Lee's journey north until the death of Mr. Thomas Morris, the then surviving Commercial Agent in France, obliged Mr. Lee to visit Nantz before he left France, to put the public affairs in some order; for which purpose Mr. Deane, as well as the other Commissioners, solicited and obtained a royal order to put the papers of Mr. Thomas Morris into the hands of Mr. Lee. Whilst Mr. Lee was at Nantz, he appointed merchants of unquestionable reputation and

and fortune in the respective ports to transact the public business at each of them, until the pleasure of the Congress should be known. This done, he returned to France, and thence to Vienna. Mr. Jonathan Williams was not an Agent appointed by Congress or its Committee, therefore his commission is not known here. Mr. Deane appointed Mr. Williams, praises him, and has put large sums of public money into the hands of this young man, I understand about a million of livres. In a letter from Mr. Williams to Mr. Deane, dated Nantz, March 26, 1778 (a copy of which I have seen) Mr. Williams says, "*My connection with you being known.*" Will you, *Senex*, or your friend, Mr. S. Deane, explain what this *connection* means? Or it may be supposed, considering your friend's turn for commerce, to be a commercial connection. In the same letter to Mr. Deane, Mr. Williams writes, "I received your favour of the 21st instant, and observe *that my draughts will continue to be accepted.* It would be less troublesome to you, and *most beneficial to my credit, if you would give Mr. Grant a general approbation;* for every draught is to lie unaccepted till Mr. G. can have an opportunity of presenting them to you, the holder will not have a very good opinion of my solidity, and Mr. G. I suppose, will not in future *accept till after the bills are presented,* for he has written I suppose a dozen times to me desiring your approbation of what has already been drawn *over the established credit.*" I am unacquainted with Mr. Williams, but I am told he is a young man. Whether young or old, it does not seem modest in him to desire leave to draw on the public treasure at will, and that his draughts shall be accepted, without presentation, by the banker with whom was deposited all the money of the United

States in France. As you are fond of questions, *Senex*, let me ask you, and you may inquire of your friend, Mr. Deane, what share he had in the large cargo of cloths imported into Charles-town by Mr. Bromfield? I fear, *Senex*, that notwithstanding the old name you have assumed, that you possess the follies of youth, which is certainly the season for credulity. Confidence is a plant of slow growth in an aged bosom, therefore you should have balanced a little before you gave into such implicit belief of all the wonderful things Mr. Deane has said of himself. You will do well to advise your friend to observe the Spanish Proverb for the future, "that he who lives in a glass-house, should not begin to throw stones." That Mr. William Lee made such contracts with the Agents he appointed, as Mr. Deane mentions, no candid man will believe until Mr. Deane produces proof, because he professes that he is writing against men whom he calls his enemies. If friendship for the public is enmity to Mr. Deane, these gentlemen are not to blame for it; they contend for the settlement of public accounts, that it may be clearly seen how the public treasure has been expended.

4th Question, Whether these gentlemen did not, since his appointment to offices of public trust under the United States, hold his office of Alderman in the City of London, and whether he does not still hold that office? Answer, Mr. William Lee is a native of Virginia; the bulk of his fortune, and that not inconsiderable, is in Virginia. He is both known in America and London, to have been the firm invariable friend of America, and opposer of the British measures. He was an Alderman of London, which place and his Aldermanship he quitted, with all possible dispatch, as soon as he knew his country had occasion for his

his services on the continent of Europe. In the same volume where *Senex* and his party find Mr. Lee an Alderman of London, he may find Dunmore Governor of Virginia, Tryon of New-York, Martin of North-Carolina, &c. &c. But though the ideas of Whiggism and justice, which govern *Senex* and his party, incline them to condemn the friends of the common enemy, it is to be presumed that the free and virtuous citizens of America entertain very different ideas of justice; they will consider the characters of men, not by what the enemy publish, or a factious Junto, but will let them stand or fall in their opinion by facts clearly proved, and not by malicious suppositions, suggestions, and dark inuendoes. If the servants of the public are to be condemned in this manner; if such little manoeuvres are to destroy the reputation of men, who have been supporting with zeal their country's cause from the beginning, and among the foremost, I fear virtue will retire, and the public affairs be conducted by men whose councils will tread back with great quickness those steps to glorious Independence, which the characters now as used have travelled with so much uniformity. Before I conclude, I must observe that Dr. Franklin was appointed in the winter of 1776 Commissioner for Spain, and continued in his appointment for France at the same time; that in the summer following, Congress being informed by the Commissioners that they had agreed Dr. Lee should go to Spain, and that he was actually gone there, there the like powers were sent him that were formerly sent to Dr. Franklin. When the conclusion of the alliance had finished the business of the Commission in

France, Congress appointed Dr. Franklin Minister Plenipotentiary to France, which most effectually superseded all former Commission, as well to Mr. Adams as to Dr. Lee; and this was done some time before Mr. Deane's publication, and not unknown to him, it is presumed, as it was generally known in Philadelphia. What now, *Senex*, must the honest and candid part of the world think of you and your friend, for thus attempting to impose upon the free and virtuous citizens of America? *Virginia Gazette.*] DETECTOR \*.

To SILAS DEANE, Esquire.

As character, like trade, is subject to bankruptcy, so nothing sooner discovers its approach than a frequent necessity of borrowing.

Let Mr. Deane and his affairs stand on their own merits, or fall in proportion to their own defects. If he has done well, he needs no borrowed credit; if he has done ill, the attempt will only precipitate disgrace. Why should matters be involved with matter, between which there is neither affinity or correspondence? You may, it is true, confine them together in the same letter, like fluids of different weights or repulsive qualities in the same phial, and though by convulsing, you may represent a compound, yet the parts having no mutual propensity to union, will separate in a state of rest.

Mr. Deane, in his address before-mentioned, says, that he "is fully confident that every intrigue and cabal formed against our illustrious Commander in Chief will prove as ineffectual as those formed against Doctor Franklin."—This declaration comes with an ill grace from a man, who not only threw out a proposal, but impliedly recommended a German Prince, Prince Ferdinand,

\* Detector is supposed to be W. H. Drayton, Esq. one of the Delegates to Congress from South Carolina,

to Congress, to take on him the command of the American army; and Mr. Deane can best explain whether the declaration he now makes is to be considered as an act of *pennance* or *consummate effrontery*.

But Prince Ferdinand is not the only one whom Mr. Deane has slyly intimated to Congress for a Commander in Chief, neither dares he either personally or in writing contradict me; he has, it is true, set Philalethes to do it, but he dares not do it himself; and, I would ask, what sort of principles must that man be governed by, who will impose on the ignorance of another to advance a falsehood for him.

No belief or dependence can be placed in him, who, through the agency of another, will deny his own hand-writing; and that I may not appear even to intimate a charge without a sufficient foundation, I shall furnish the public with an extract from Mr. Deane's letter to the Foreign Committee, dated Paris, December 6th, 1776.

"I submit the thought to you, whether if you could engage a great General of the highest character in Europe, such, for instance, as *Prince Ferdinand*, or M—B—\*, or others of equal rank to take the *lead* of your armies, whether such a step would not be politic; as it would give a character and credit to your military, and strike perhaps a greater terror into our enemies. I only suggest the thoughts, and leave you to confer with B— K—† on the subject at large."

S. DEANE.

Yet the writer of this letter is the same Mr. S. Deane, who, in his address of January 26th, in the Pennsylvania Packet, says, that "he is fully confident that every intrigue and cabal formed against our illustrious Commander in Chief, will prove as ineffectual as those formed against Doctor Franklin."

What Mr. Deane means by *cabals* formed against Dr. Franklin, I am wholly unacquainted with. I know of none. I have heard of none. Neither has Mr. Deane any right to blend himself with that gentleman any more than with General Washington. Mr. Deane will never be Doctor Franklin, nor Doctor Franklin Mr. Deane. They are constitutionally different both in principle and practice; and if my suspicions of Mr. Deane are true, he will, in a little time, be as strongly reprobated by his *venerable friend* as by either of the Mr. Lees or Mr. Izard. The course of this letter will explain what I mean without either suggestion or implication.

Quitting, in this place, Mr. Deane's last address as a matter of very little importance, I now mean to draw his hitherto confused affairs to a closer investigation than I have ever yet done.

The continental public, who can have no other object in view than to distinguish right from wrong, will have their minds and their ears open, and unfettered by prejudice or selfish interest, will form their judgment as matters and circumstances shall appear. Mr. Deane may interestedly inlink himself with Members of Congress, or with persons out of it, till involved with them, and they with him, they mutually become the pillows and bolsters of each other to prevent a general discovery. With such men, reasoning has no effect. They seek not to be *right*, but to be *triumphant*; and the same thirst of interest that induced them to the commission of one crime, will provoke them to a new one, in order to ensure success and defeat detection. There are men, in all countries, in whom both vice and virtue are kept subordinate by a kind of cowardice, which often forms a great part of that natural character stiled *moderation*.

\* Marshal Broglie.

† Baron Kalbe,

tion. But this is not the case with Mr. Deane. His conduct, since his return to America, has been excessive. His address to the public of Dec. 5th is marked with every feature of extraordinary violence. His inventions to support himself have been numerous, and such as honesty did not require; and having thus relinquished all pretensions to a moderate character, he must, of consequence, be looked for in one or other of the extremes of *good* or *bad*.

Several things, however, are certain in Mr. Deane. He has made a rich and prosperous voyage to France, and whether fairly or unfairly he has yet to answer for.

He has wrote and been concerned in the writing of letters which contradict each other.

He has acted a double part towards his brother Commissioners in France, Doctor Franklin and Arthur Lee, Esq. as appears by a comparison of his own letters with those of the Commissioners jointly, of which himself was one.

He has not given the public information of the loss of the dispatches of Oct. 6 and 7, 1777, nor of any circumstances attending it, notwithstanding, he can but know, that he lies under a strong suspicion of having embezzled them himself or of his being privy thereto, in order to prevent a discovery of his double dealings, and to promote the payment of a very large sum of money. To all those matters I shall speak as I proceed.

Mr. Deane first made choice of the public papers, and I have only followed therein. The people sufficiently feel that something is wrong, and not knowing where it lies, they know not where to fix their confidence, and every public man undergoes a share of their suspicions. Let it therefore come out be it where it will, so that men and measures being properly known, trust and tranquility

be again restored. It has strangely happened, that wherever Mr. Deane has been, there has been confusion. It was so in France. It is so here. The Commissioners, in that country, were as much disjointed as the Congress in this; and such being the case, let every man's conduct answer for itself.

In the Pennsylvania Packet of January 2d, I acquainted the public with the loss of the dispatches of October 6th and 7th, and gave such an account of that affair as had been related to me while at York-town; namely, that they were stolen by some British emissary in France, and carried over to the enemy in England. The account was far from being properly authenticated; however, I chose to give it, in order to see what notice Mr. Deane would take of it. He let it pass in silence, and I observed that I was immediately after attacked from all quarters at once, as if emboldened to it by the account I had given and appeared to believe. As their publications were of use to me, I thought it best to reserve my suspicions, excepting to a few particular friends, as well in Congress as out.

In the Pennsylvania Packet of January 26, I, for the first time in public, informed Mr. Deane of my suspicions thereon in the following words:

“Every day opens something new. The dispatches of October, 1777, which were said to be stolen, are now believed by some, and conjectured by others, *not to be in the hands of the enemy*. Philaethes (in the Pennsylvania Packet of January 23) says, that they contained no such secret as I have pretended. How does he know what secret I have pretended, as I have not disclosed any, or ever will? The duplicates of those dispatches have arrived since, and have been in my hands, and I can say thus much, that they contain a para-

paragraph, which is, I think, a flat contradiction to one half what Mr. Deane wrote while a separate agent; and if he, when in conjunction with his colleagues, had to sign that which disagreed with what he had before written and declared since, it was *fortunate for him that the dispatches were stolen*, unfortunate that the duplicates arrived.—In short, had Mr. Deane, or his friend W. D. in Mr. Holt's paper of the 11th instant (January) one half as much cause for suspicion, as I have, concerning the loss of those dispatches, they would ground thereon a heavy and positive charge!"

On the appearance of this intimation, Mr. Deane and every other of my opponents, unanimously deserted the news-papers, and suffered it to pass unnoticed. I have waited three weeks to afford Mr. Deane an opportunity of removing the suspicions alluded to, and to furnish the public with what he might know on that subject. He has not done it: I shall, therefore, lay open the principal circumstances on which that intimation was founded.

In a country so rich, extensive and populous as France, there can be no cause to doubt either the ability or inclination of the wealthier inhabitants to furnish America with a gratuitous supply of money, arms, and ammunition. The English had supplied the Corsicans, by a subscription opened for that purpose in London, and the French might as consistently do the same by America. I, therefore, think it unnecessary to say any thing farther on this point, than to inform, that in the Spring 1776, a subscription was raised in France to send a present to America of two hundred thousand pounds sterling, in money, arms, and ammunition. And all that the suppliers wanted to know, was, through what channel it should be remitted. The place was fixed upon.

Having said thus much, I think

VOL. VII,

it necessary to mention, that if Congress, chuse to call upon me for my proofs, which I presume they will not do, I am ready to advance them. I do not publish this in contradiction to their resolution of January 12th, because that refers to supposed presents from the Crown only, which is a subject I never touched upon; and though Congress have thought proper to introduce my name therein, and perverted my expressions, to give a countenance thereto, I leave it to their own judgment, &c. to take it out again. I believe future Congresses will derive no honour from that resolution. And on my own part, I conceive that the literary services I have hitherto rendered, and that without the least profit or reward, deserved from that body a different treatment, even if I had in this instance been wrong. But the envy of some little and ungenerous wits in that House will never subside.

Soon after this offer was made, Mr. Deane was sent to France as a Commercial Agent under the authority of the Committee which was then styled "The Committee for Secret Correspondence," and since changed to that of "The Committee for Foreign Affairs."

On Mr. Deane's arrival at Paris, the whole affair took a new ground, and he entered, according to his own account, into, what he calls, a *commercial concern*, with Mr. Beaumarchais of Paris, for the same quantity of supplies which had been before offered as a present, and that through the same person of whom Mr. Deane now says he purchased them. It may not be improper in this place to mention, that Mr. Beaumarchais was only an agent on the part of the suppliers, as Mr. Deane was an agent on the part of the receivers.

In December following (1776.) Dr. Franklin and Arthur Lee, Esq. arrived likewise in Paris, under a new commission, appointing them, together

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with Silas Deane, Esq. joint Commissioners from the United States. Yet it does not appear that Mr. Deane made either of those gentlemen acquainted with the particulars of any commercial contract made between him and Mr. Beaumarchais, neither did he ever send a copy of any such to Congress or to the Committee for foreign affairs.

In September 1777, Mr. Francy set off from France to America, as an agent from Mr. Beaumarchais, to demand and settle the mode of payment for those supplies. Yet the departure, as well as the business of this gentleman, appears to have been concealed from Dr. Franklin and Mr. A. Lee, and to have been known only to Mr. Deane; which must certainly be thought inconsistent and improper, as their powers were equal, and their authority a joint one.\*

That Mr. Deane was privy to it, is proved by his sending a letter by Mr. Francy, dated Paris, Sept. 10th, 1777, recommending him as Mr.

Beaumarchais agent, and pressing the execution of the business which he came upon. And that it was unknown to Doctor Franklin and Mr. A. Lee is circumstantially evidenced by Mr. Francy bringing with him no dispatches from the Commissioners jointly, and is afterwards fully proved by their letter of the 16th of Feb. following in which they say "We bear Mr. Beaumarchais has sent over a person to demand a large sum of money of you on account of arms, ammunition, &c. We think it will be best for you to leave that matter to be settled here, (France) as their is a mixture of public and private which you cannot so well develope." And what must appear very extraordinary to the reader, is, that, notwithstanding Mr. Deane was privy to Mr. Francy's coming, and had even by letter recommended the business he came upon, yet in this joint letter of Feb. 16, 1778, he appears to know no more of the matter than they do. I have gone a little out of the

\* In the Pennsylvania Packet of Jan. 23d, in a publication signed Philalothes, is the following certificate, viz.

"The military and other stores shipped by Roderique Hortalez and Co. in consequence of the contract made by them with Silas Deane, Esq. Agent for the United States of America, were shipped on board eight vessels, &c. &c. &c."

"Certified at Philadelphia, this 13th day of January, 1779.

L. de FRANCY,

"representing the House of Roderique Hortalez and Co."

Whether this certificate was published with or without the consent of M. Francy is not very material. But as my only design was to come at the truth of things, I am necessarily obliged to take notice of it. And the course of the publication I now give will, I presume, furnish Mr. Francy with circumstances which he must before have been unacquainted with.

The certificate says, "That the supplies were shipped by Roderique Hortalez and Co. in consequence of a contract made by them with Silas Deane, Esq." I know that Mr. Roderique Hortalez was employed, or appeared to be so, by some public spirited gentlemen in France to offer a present to America, and I have seen a contract for freightage made with Mr. Monthieu, but I know of no contract for the supplies themselves. If there is such a contract, Mr. Deane has concealed it; and why he has done, so must appear as extraordinary as that he made it.

N. B. Mr. Beaumarchais and R. Hortalez are one and the same person.

order

order of time to take in this circumstance so curiously explanatory of Mr. Deane's double conduct.\*

Nothing material appears to have happened from the time of Mr. Francy's sailing in Sept. 1777, till the 6th and 7th of Oct. 1777, following, when the dispatches of those dates were lost, and blank white paper sent to Congress in their stead.

I must request the reader in this place to take his stand and review the part Mr. Deane had acted. He had negotiated a proferred present into a purchase; and I have quoted letters to show, that though he was privy to Mr. Francy's coming over for the money, he had, nevertheless, concealed it from his colleagues, and was consequently obliged, when acting in conjunction with them, to know nothing of the matter, and to concur with them in forming such dispatches as they might have authority to do, notwithstanding such dispatches might contradict, or tend to expose himself. He had at least the chance of the seas in his favour.

The dispatches of Oct. 6 and 7, 1777, (as appear by the duplicates which have since arrived) were of this kind; and are, as far as letters can be, positive evidence against Mr. Deane's accounts. The one is a single letter from the Hon. Arthur Lee, Esq. and the other a joint letter from B. Franklin, S. Deane and A. Lee, of Oct. 7th. That of the 6th gives a circumstantial account in what manner the present was first offered, and the latter declares, "*That for the money and military stores already given no remittance will*

*ever be required*—But Mr. Francy had been sent off with Mr. Deane's single letter to demand the money; what then was to be done with those dispatches? Had they arrived, Congress would have had a line to go by—and as they did not, they had nothing but Mr. Deane's single letter, and pretended contract with Mr. Beaumarchais to govern them.

I shall now relate such circumstances as I am acquainted with concerning the loss of those dispatches, by which the reader will see, that the theft could only have been committed by some bosom apostate.

When the supposed dispatches were brought to York-town by Capt. Folger, who came with them from France, they consisted of a packet for Congress of nearly the size of a half sheet, another for Robert Morris, Esq. of about the same size, another for Mr. Barnaby Deane, brother to Silas Deane, of about the same size, a smaller one from Mr. Arthur Lee to his brother, Col. R. H. Lee, besides letters and some small parcels to different persons, private, and another packet, which I shall mention afterwards. The packet for Congress and that for Col. R. H. Lee had both been robbed of every article of their contents, and filled up with blank white paper; that for Mr. Morris and Mr. Barnaby Deane came safe with all their contents. Whoever was the thief, must have *known* exactly what to take and what to leave; otherwise the packet for Mr. Morris and Mr. Barnaby Deane must have been equally as tempting as that to Col. Lee; or rather more so, because they were more bulky

\* The Committee for foreign affairs in their first letter to the Commissioners after Mr. Francy's arrival, say, "We think it strange that the Commissioners did not *jointly* write by Mr. Francy, considering the very important designs of his coming over, viz. to settle the mode of payment for the past cargoes, sent by Roderique Hortalez and Co. and to make contracts for future. It is certain, that much eclarcissement (EXPLANATION) is, at this late moment, wanting."

and promising. In short, the theft discovers such an intimate knowledge of the contents, that it could only be done, or directed to be done by some person originally concerned in the writing of them. None of the packets or letters that came safe contained a single article of intelligence, except a letter from Doctor Franklin to myself, dated the same day of the dispatches; in which he says, "Our affairs, so far as they are connected with this country, are every day more promising." I received this letter at Lancaster through the favour of the then President, *Henry Laurens, Esq.* and returned it again to him to be communicated to Congress; and this, as I have before mentioned, was the only article of information which Congress received from May, 1777, to May, 1778. Which may now be set down as another extraordinary circumstance.

Among the packets was likewise a large handsome one directed to Mr. Hancock, who, at the time the dispatches were written, was President of Congress, and this would undoubtedly have been a greater inducement to a British emissary than that directed to Col. R. H. Lee; yet this packet, which was only on private business, was likewise suffered to come in safety. But how, I ask, should any British emissary know that it contained no information.

There are two ways by which this theft might be committed, viz. either by changing the packets, and placing blank ones in their stead, by the assistance of a counterfeit seal, (and why not as well counterfeit a seal as counterfeit *common sense*) or by opening them, and filling the cover up with blank paper. In the first of those cases, the person must know how to imitate, and in either of them he must know which to select.

Mr. Deane, through his advocate *Philalæthes*, in the Pennsylvania packet of January 23d, says, in substance,

*that as neither the King of England's speech in November, 1777, nor yet any ministerial information to Parliament through the course of that session, discover any knowledge of any secret supposed to be contained in those dispatches, that it is, therefore, A PROOF THAT THEY CONTAINED NO SECRET.* But, surely, Mr. Deane will not be hardy enough to deny the contents of the dispatches which himself was concerned in forming, and is now suspected of suppressing? This would be such a refinement upon treachery, that I know of no law which provides for the case. I shall, therefore, in this place, content myself with answering to *Philalæthes* generally, that he himself knows nothing of their contents, and that the silence of the British King and Ministry is a circumstantial evidence, that they have *not got the dispatches*, and that they were lost for some other purpose. One thing, however, we are certain of, viz. that the loss of them, in any case, answered at that time, the money purpose which Mr. Deane had in view, by giving an opportunity to his single letter by Mr. Francy, and the business that gentleman came upon, to arrive at Congress, instead of the dispatches.

It is true, that the duplicates were brought over by Mr. Deane's brother, Mr. Simeon Deane, with the treaty of alliance; but it would have been too barefaced to have had them stolen out of *his* hands, and the treaty left behind. Besides which, it was reasonable to suppose that Congress had before that, resolved upon, and settled the mode of payment, and that their attention to the great object of the treaty would make them inattentive to duplicates of a prior date, which appears to have been the case.

But it was Folger's hard fate to be confined, partly in prison, and partly on parole, nearly five months, on account of those dispatches; he was at

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at last set at liberty, because nothing could be found against him more, than that, he appeared to be a blundering fool, and therefore a proper person to pitch upon to bring over blank dispatches, as his probable inattention might afford a wildness to the theft committed by others.

The public have now a clear line of circumstances before them, and though Mr. Deane may deny the fact, it becomes him likewise to remove the suspicions, which I am certain he cannot do without denying the letters I have quoted.

In his address of December 5th, he set out with a falsehood, by declaring that the "*ears of the representatives* (in Congress) *were shut against him,*" and though the charge was unjust, as appears by the journals, yet so lost are that body to the dignity of the States they represent, that they not only suffered the accusation to pass unquestioned, but invited him, at the public expence, to their next public entertainment on the 6th of February. It was the disgraceful submission of Congress to Mr. Deane's false accusation, that was the real cause why the late President, *Henry Laurens, Esq.* quitted the chair, and the same cause promoted the present President, Mr. Jay, to it. The secrecy which Congress impose upon themselves is become a cloak for their misconduct, and as I wish to see a Congress such as America might be proud to own, and the enemy afraid to trifle with, it is full time for the States to know the conduct of their members, that they may make that body such as they could wish it to be. An evil cured, is better than an evil concealed and suffocated.

I shall conclude this paper with mentioning another circumstance or two, in which Mr. Deane's reputation appears to be involved.

In his address of December 5th, he informed the public, that, "About

the time the news arrived in France of General Burgoyne's surrender, Mr. Arthur Lee's Secretary went to and from London, charged with affairs which were secret to the other Commissioners," meaning himself and Doctor Franklin; and on this ground, unsupported by any kind of evidence, Mr. Deane endeavours to have the public believe that Mr. Lee gave information to the British Court of the intended Treaty.

That Mr. Lee sent his Secretary to some sea-port towns in England is very true, and that he did not acquaint Mr. Deane with the reasons or the business is as true. Mr. Deane had been a traitor to Mr. Lee, and broke open and suppressed some confidential information of Mr. Lee's to Congress some considerable time before. I do not in this place mean the dispatches of October 6th and 7th, 1777, but another affair, and the original letter, which I here allude to, has likewise been in my hands since the time Mr. Deane broke it open.

But it is no proof that because Mr. Deane did not know the business, that Dr. Franklin might not, or that others did not. Mr. Deane never gave a line of authentic information to Congress respecting the condition of the enemy's fleet, their strength, weakness or destination; or of their land force, or their politics. Mr. Lee has constantly done so, and been on that head the most industrious and best informant that America had in Europe, and that even before the Congress existed, of which I shall mention one instance, viz. by the *same vessel* that brought over the British King's instructions to Sir Francis Barnard, while Governor of Massachusetts, Mr. A. Lee, I say, *by that same vessel sent the people of Boston the particulars of those instructions* Whereas Mr. Deane's letters are for the most part filled up with flattering compliments to himself and Mr. Beaumarchais.

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But taking it for granted that the enemy knew of the intended treaty, the question is, who informed them?

Mr. Arthur Lee had certainly no occasion to send his Secretary over to England to do it, because a private hint given to *Lord Stormont*, who was at that time at Paris as a British Ambassador, would have been much safer and more conveniently done.

Yet that it was known in London, before it was executed in Paris, is a matter of which I have no doubt.

The public, or at least some of them, may recollect a letter that was published a considerable time since, from a gentleman in London to a relation of his in this city, in which he spoke firmly of the Independence of America, and advised the attention of his relation to *money matters*; that letter was from one of the Mr. Whartons of London, and came accidentally to light. I mention this as a corresponding circumstance to what I am now going to relate.

I have seen, and have in my possession, an attestation of a gentleman, which declares, that he saw at Mr. Wharton's, in London, a letter from Mr. Deane's secretary, and in his (the secretary's) hand-writing, dated Paris, January 27th, informing, *that the Treaty between France and America would be signed the 5th or 6th of February following; which letter likewise recommended an attention to money matters*, by which, I presume, is meant *Stock-jobbing* in the English funds. And I have seen another account, which says, *that much about the same time Mr. Deane remitted 19,520 livres to Mr. Wharton in London.*

I shall now conclude this long letter with declaring, that from the beginning of this dispute, I have had no other object in view than to bring *truth to light*; in the prosecution of which, I have gone contrary to my

own personal interest. The opposition and insults I have met with, have been numerous; yet from an unwillingness to sacrifice public advantage to private resentment, I have thought it best to take as little notice of them as possible. Truth, in every case, is the most reputable victory a man can gain. And if Mr. Deane has hitherto been the Jonas of the storm, I sincerely wish he may be found out, that the vessel may have relief.

As my signature, *Common Sense*, has been counterfeited, either by Mr. Deane or some of his adherents, in Mr. Bradford's paper of February 3d, I shall subscribe this with my name.

THOMAS PAINE.

*Philadelphia, Feb. 13, 1779.*

*To the PUBLIC.*

I was not a little surprized to find my character traduced in a publication, stiled *Common-Sense* to the Public, on Mr. Deane's affair, in Mr. Dunlap's paper of the 5th instant, though that surprize would have been greater, had not the following insinuation appeared in a prior publication on the same subject, and by the same author, in Mr. Dunlap's paper of the 31st December last, viz. "I wish in this place to step a moment from the floor of office, and press it on every State to enquire what mercantile connections any of the late or present Delegates have had, or now have, with Mr. Deane, and that a precedent might not be wanting, it is important that the State of Pennsylvania should begin."

I think it proper to make a few remarks on this paragraph, before I proceed to take particular notice of the more explicit charge contained in the paper of the 5th instant. Why the author quitted Mr. Deane to bring me on the stage is immaterial, and as I do not mean to enter the lists with him, I shall content myself

self with stating simply the facts he has alluded to. I do not conceive that the State I live in has any right or inclination to enquire into what mercantile connections I have had or now have with Mr. Deane, or with any other person: if Mr. Deane had any commerce that was inconsistent with his public station, he must answer for it, as I did not, by becoming a Delegate for the State of Pennsylvania, relinquish my right of forming mercantile connections, I was unquestionably at liberty to form such with Mr. Deane. My now giving the account this author desires, is not to gratify him, or to resign the right I contend for, but purely to remove the force of his insinuation on that subject, and to do this effectually, I will candidly relate all the commercial concerns I have had with Mr. Deane. The first was a concern in a brig and cargo fitted out by Mr. Delap of Bourdeaux, for this country; one third on his own account, one third on Mr. Deane's, and the other third on account of Willing, Morris and Co. This vessel was taken, and Mr. Delap charged my house, whose monies he had in hand, for their share.

The second was in a valuable ship and cargo fitted for America, by an eminent merchant in France, who advanced the money for Willing, Morris and Company's share, which amounted to 50,000 livres, or 2187l. 10s. sterling, and has since been repaid with interest, by remittances made from this country for that purpose. I always understood Mr. Deane's share to have been the same, and circumstanced in the like manner.

The third and last concern, was as follows: I proposed to Mr. Deane and some other friends, to fit out a privateer to cruize on the British trade. To pay for my share, I shipped eighty-six hogheads of tobacco on board the ship in which the in-

tended Captain of the privateer went passenger to France. A French gentleman of rank and consequence in Paris adopted this plan, and undertook to have it executed; but by the mismanagement and villainy of some of the agents he employed, it was rendered abortive, and the parties concerned lost about one thousand pounds sterling in charges and expences. What share Mr. Deane held in this adventure, or whether any, I really do not know. These are all the mercantile connections or concerns I had with Mr. Deane while he was in France, and the two first took place whilst he acted as Commercial Agent.

Whether in consequence of my good opinion of Mr. Deane as a man of honour and integrity, I have been led to form any and what new concerns with him since his arrival here, is a matter which the public are no ways interested to know.

The express charge against me in the publication of the 5th instant, is in these words: "Hitherto our whole anxiety has been absorbed in the means for supporting our Independence, and we have paid but little attention to the expenditure of money; yet we see it daily depreciating, and how should it be otherwise; when so few public accounts are settled, and new emissions continually going on? I will venture to mention one circumstance, which I hope will be sufficient to awaken the attention of the public to this subject. In October, 1777, some books of the Commercial Committee, in which, among other things, were kept the accounts of Mr. Thomas Morris, appointed a Commercial Agent in France, were by Mr. Robert Morris's request taken into his possession to be settled, he having obtained from the Council of this State, six months leave of absence from Congress, to settle his affairs. In February following these books were called for  
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by Congress; but not being completed, were not delivered. In September, 1778, Mr. Morris returned them to Congress in, or nearly in, the same unsettled state he took them, which, with the death of Mr. Thomas Morris, may probably involve those accounts in further embarrassment. The amount of expenditures on those books is considerably above two millions of dollars."

I shall now give the true state of these matters.—My leave of absence from Congress was obtained from the Supreme Executive Council at Lancaster, the 11th day of November, 1777, and bears that date. I returned to Congress, and on the 28th of November, informed them of my leave of absence obtained to settle the affairs of the late house of Willing, Morris and Co. as well as my own; and as some leisure time might occur, I offered in full Congress to take home the books of the Secret Committee, which were then unemployed, and devote what time I could spare to them. The offer was accepted by general consent, although no resolution was entered, it being unnecessary. The day I left Congress, I was appointed on a Committee to repair to Head-Quarters, from whence I did not return to Manheim, then my place of residence, until the 14th or 15th day of December, at which time the books were not arrived, nor did they reach me until the latter end of that month. I deny that Congress called on me for those books in February, but early in that month I was informed that some matters to my prejudice had been insinuated by a Member in Congress respecting these books, whereupon I wrote a letter, dated the 8th of February, 1778, to the Commercial Committee, (who then had the direction of them) complaining of the injury, and offering to return them, and received an answer, dated the 21st of February, containing the

following clause: "We laid this letter (meaning mine of the 8th) before Congress, who desired us to inform you, that they would have you still keep the books in your possession, and settle them as soon as you could." Accordingly I retained them, and until they were re-delivered, employed on them the little leisure which remained from my private avocations, and the many interruptions occasioned by public business, which pursued me in my retirement, and many times obliged me to visit York-town, each visit taking up from four to six days.

In the beginning of June, I went to camp, at Valley-Forge, and remained there until the evacuation of this city; after a week's stay here, I returned to Manheim, to bring down my family and effects. I was again in Philadelphia the 4th day of July, the anniversary of our glorious Independence, and in the course of a week or ten days, my effects, and with them the books in question, came down and remained unopened until I delivered them to the Clerk of the Commercial Committee, which I think was in that month, July. Thus it appears; that instead of having these books to work in from October, 1777, to September, 1778; it was in my power to do so only from the latter end of December, 1777, to the first of June, 1778; and although but little of that time could possibly be devoted to them, they were far from being returned in the same or nearly the same unsettled state they were received; on the contrary, these books will shew that I settled a number of accounts, the entries being made with my own hands in the waste-book, and then journalized and posted by my clerks, until the ledger was filled, and no room to open any more accounts in it. I sent to Lancaster to procure paper of the same size, to be sewed into that book, that I might go on, but

but none suitable could be got, and I was obliged to stop.

Mr. Thomas Morris's papers were seized on his death in France by the King's officers, according to the custom in that country; they were afterwards delivered to and kept by the American Commissioners, until orders should appear respecting them from hence. I applied to Congress for an order to have them delivered to my Agent, and though at that time ignorant of the state of his accounts, I pledged myself to Congress, although no ways bound to do so, that I would pay any balance that might be due from him to the public. These papers I have not yet received, nor do I know whether the order for them has reached my Agent's hands; but the house at Nantes, who, under my brother's direction, transacted all his business, have rendered full, and I am told, clear accounts of all the public concerns to the Commercial Committee, so that there is no embarrassment that I know of; and instead of his being a debtor, the balance is in favour of that house, 50,380 livres, 2 sous, 9 deniers, or about 2204l. 2s. 6d. sterling, which they stopped from monies of Willing, Morris and Company, in their hands, and have empowered me to receive the same from Congress.

By the manner of mentioning that the amount of expenditures on the Committee Books is considerably above two millions of dollars, some people may be led to imagine, that I stand accountable for that sum.—The fact is thus:—the accounts in these books are kept by double entry, and the Treasurer and Auditor are credited for all the monies drawn from them by the Committee; those who received are charged, and accountable for what they did receive. Many gentlemen from New-Hampshire to Georgia entered into contracts for procuring supplies, on which they received part of this money, for

VOL. VII.

which they have accounted or are to account, and in like manner is my late house and myself to account for all monies by them and me received.

Twice I have settled Willing, Morris and Company's accounts with the Secret Committee, and the entries thereof are in their books. The last was closed in May, 1778, with a balance in favour of the former. There are, it is true, many things yet to be settled. I have made out a state of them, and would most gladly make a final settlement, if practicable: that cannot now be done, because some account, sales and accounts current are not yet received from Europe, and many articles of goods, which are finally to be articles of these accounts, have been, by inevitable accidents, lodged in the West-Indies, and must be carried to account, in different ways, on the contingency of their safe arrival within the United States. On the best computation I can make of all the depending accounts my late house and myself have with the continent, it clearly appears, that a considerable balance is due to us, and I shall either make a speedy settlement, or if circumstances continue to keep that out of my power, I will lay before Congress a full state and clear estimate of these dependencies, when I doubt not, they will do ample justice to my character.

Out of respect to the public, with which I wish to stand as fair as my real conduct and character deserve, I must add, that so far have I been from protracting the settlement of public accounts, that I have, on all occasions, promoted such settlements, and all measures that tended thereto. In November, 1777, before I left Congress at York-town, I drew a report from the Commercial Committee, for establishing a Board of Commissioners to manage the public commerce, and, of course, to settle

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those accounts, urging that it was impossible for Members of Congress, if ever so well acquainted with business, to attend the House and do that duty. I pressed this frequently; but the report meeting with some opposition, remains to this day undetermined on.

After joining Congress again in this city, I moved that the Members of the Secret Committee, who were then Members of Congress, might, as being most competent, be re-appointed a Committee to finish the settlement of their accounts, which was agreed; but those Members being much engaged in other business, could not attend, and therefore, with the concurrence of one of them that did attend, I hired an accountant to work on their books, which he did until stopped by sickness in the first instance, and when he returned to the business, he was discharged by a Member of the new appointed Commercial Committee, who, I understand, have undertaken to finish the settlement of these accounts.

I will only add, that it is in my power to prove, by papers in my possession, papers and records in the public offices, or by living witnesses of unquestionable character, every fact and circumstance that I have laid before the public.

ROBERT MORRIS.

*Philadelphia,*  
*January 7, 1779.*

COMMON SENSE to the PUBLIC.

The appearance of an address signed Robert Morris, has occasioned me to renew the subject, by offering some necessary remarks on that performance.

It is customary with writers to make apologies to the public for the frequency of their publications; but I beg to have it well understood, that any such apology from me would be an affront to them. It is their cause, *not mine*, that I am and have

all this while been pleading; and as I ought not to suppose any unwillingness in the public to be informed of matters, which is their interest to know, so I ought not to suppose it necessary in me to apologize to them for doing an act of duty and justice.

The public will please to remember, that in Mr. Dunlap's paper of December 21, in which the piece signed Plain Truth made its illegitimate appearance, there was likewise published in the same paper, a short piece of mine, signed *Common Sense*, in which, speaking of the uproar raised to support Mr. Deane, I used these words, "*I believe the whole affair to be an inflammatory bubble, thrown among the public, to answer both a mercantile end, and a private pique;*" and in the paper of the 2d instant I have likewise said, "*The uncommon fury that has been spread to support Mr. Deane is not altogether for his sake;*" and in the same paper, speaking of a supposed mercantile connection, between Mr. Deane and other parties, then unknown, I again said, "*It would suit their plan exceeding well to have Mr. Deane appointed Ambassador to Holland, because so situated, he would become a convenient partner in trade, or a useful factor.*"

It must, I think, appear clear to the public, that among other objects, I have been endeavouring, by occasional allusions, for these three weeks past, to force out the very evidence that Mr. Morris has produced; and though I could have given a larger history of circumstances than that gentleman has done, or had any obligation to do, yet as the account given by him comes from a confessed private partnership between a Delegate in Congress and a servant of that house, in the character of a Commercial Agent, it is fully sufficient to all the public purposes to which I mean to apply it; and it being therefore needless for me to seek

seek any farther proofs, I shall now proceed to offer my remarks thereon.

Mr. Morris acknowledges to have had three private mercantile contracts with Mr. Deane, while himself was a Delegate. Two of those contracts, he says, were made while Mr. Deane acted as Commercial Agent; the other, therefore, must be after Mr. Deane was advanced to a Commissioner. To what a degree of corruption must we sink, if our Delegates and Ambassadors are to be admitted to carry on a private partnership in trade? Why not as well go halves with every Quarter-master and Commissary in the army? No wonder if our Congress should lose its vigour, or that the remains of public spirit should struggle without effect. No wonder that Mr. Deane should be so violently supported by Members of that House, and that myself, who have been labouring to fish out and prove this partnership offence so dangerous to the common good, should, in the interim, be made the object of daily abuse. I have very little doubt but that the real Mr. Plain Truth is another of the connection in some stile or degree; and that the chain is more extensive than I choose to express my belief. The displacing the Honourable Arthur and William Lee would have opened a field to a still greater extension, and as that had enlarged, the circle of public spirit must have lessened.

Mr. Morris says in his address, "That he does not conceive that the State he lives in has any *right* or *inclination* to enquire into what mercantile connections he has had, or now has, with Mr. Deane." Mr. Morris asserts this as a reply to the following a paragraph of mine, which he has quoted from Mr. Dunlap's paper of December 31st, viz.

"I wish in this place to step a moment from the floor of office, and press it on every State to enquire

what mercantile connections any of their late or present Delegates have had, or now have, with Mr. Deane, and that a precedent might not be wanting, it is important that this State, *Pennsylvania, should begin.*"

Mr. Morris seems to deny their having such a right; and I perfectly agree with him, that they *have* no such right, and can assume no such power, over Mr. Morris, Mr. Deane, or any other persons, as private gentlemen. But I hope Mr. Morris will allow, that no such connection *ought* to be formed between himself, while a Member of Congress, and Mr. Deane, while a Commercial Agent, accountable for his conduct to that Congress, of which Mr. Morris then sat as a Member; and that any such connection, as it may deeply affect the interest of the whole United States, is a proper object of enquiry to the state he represents or has represented; for though no law is in being to make it punishable, yet the tendency of it makes it dangerous, and the inconsistency of it renders it censurable.

Mr. Morris says, "*If Mr. Deane had any commerce that was inconsistent with his public station, he must answer for it.*" So likewise must Mr. Morris, and if it was censurable in Mr. Deane to carry on such a commerce while he was a Commercial Agent, it is equally as censurable in Mr. Morris to be concerned in it while a Delegate. Such a connection unfits the Delegate for his duty in Congress, by making him a partner with the servant over whose conduct he sits as one of his judges; and the losses or advantages attending such a traffic, on the part of the Agent, tempts him to an undue freedom with public money and public credit.

Is it right that Mr. Deane, a servant of Congress, should sit as a Member of that House, when his own conduct was before the House for  
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judgment? Certainly not. But the *interest* of Mr. Deane has sat there in the person of his partner, Mr. Robert Morris, who, at the same time that he represented this State, represented likewise the partnership in trade. Only let this doctrine of Mr. Morris's take place, and the consequences will be fatal both to public interest and public honour. By the same right that one Delegate may enter into a private commercial partnership with any Agent, Commissioner, or Ambassador, every Delegate may do the same; and if only a majority of Congress should form such a company, such Agents, Commissioners, or Ambassadors, will always find support and protection in Congress, even in the abuse of their trust and office.—Besides which, it is an infringement upon the general freedom of trade, as such persons or companies, by having always the public monies in their hands, and public credit to sport with and support them, will possess unfair advantages over every other private merchant and trader.

One of those advantages is, that he or they will be enabled to carry on trade without employing their own money, which laying by that means at interest, is more than equal to an insurance in times of peace, and a great abatement of it in time of war, and consequently, the public always pays the whole of the insurance in the one case, and a great part of it in the other.

But suppose the partnership of such Delegates and Ambassadors should break, or meet with losses they cannot sustain, on whom then will the burden of bankruptcy fall?

Mr. Morris having declared what his former mercantile connections with Mr. Deane have been, proceeds to say, that “Whether in consequence of his good opinion of Mr. Deane, as a man of honour and integrity, he has been led to form

any, and what new concerns with him since his arrival here, is a matter which the public are no ways interested to know.”

They certainly have no right to know, on the part of Mr. Morris, as he is not now a Member of Congress (having served out the full time limited by the Constitution of this State) neither have they any right to know on the part of Mr. Deane, while he remains a private character. But if Mr. Deane has formed a chain of mercantile connections here, it is a very good reason why he should not be appointed an Ambassador to Holland, or elsewhere; because so situated and circumstanced, the authority of America would be disgraced, and her interest endangered, by his becoming a “partner” with, or a “factor” to, the company. And this brings me to and establishes the declaration I first set out with, viz. that the uproar to support Mr. Deane, was “an inflammatory bubble thrown among the public to answer both a mercantile and a private pique.”

One of the objections advanced against the Hon. Arthur and William Lee was, that they had two brothers in Congress. I think it a very great honour to all those gentlemen, and an instance most rarely seen, that those same four brothers have, from the first beginning, been most uniform Whigs. The principle of not investing too many honours in any one family, is a very good one, and ought always to have its weight; but it is barbarous and cruel to attempt to make a crime of that which is a credit.

Brothers are but awkward advocates for each other; because the natural connection being seen and known, they speak and act under the disadvantage of being supposed to be prepossessed; the open relationship, therefore, is nothing so dangerous as a private mercantile connection

connection between Delegates and Ambassadors; because such connections *bias*, or *buy us*, if you please, and is covered and in the dark. And the interest of the Delegate being thus tied by a secret unseen cord to the Agent, affords the former the splendid opportunity of appearing to defend the latter from principle, whereas it is from interest.

The haste with which I was obliged to conclude my last piece, prevented my taking that proper leave I wished to do. In the course of my late publications, I have had no other object in view than to serve the public from being misled and made fools of by Mr. Deane's specious address of December 5. In the course of my late publications, I have given them some useful information, and several agreeable and interesting anecdotes; for of what use is my office to me, if I can make no good use of it? The pains I have taken, and the trouble I have undergone, in this act of public duty, have been very considerable. I have met with much opposition from various quarters. Some have misunderstood me, others have misrepresented me, but the far greater part were those whose private interests or unwarrantable connections were in danger of being brought to light thereby, and I now leave the public to judge whether, or not, I have acted in behalf of their interest or against it, and with that question I take my leave.

#### COMMON SENSE.

*Philadelphia,*  
*January 11, 1779.*

#### To the PUBLIC.

I informed my countrymen and fellow-citizens on the 7th of December last, that Congress had resolved to hear me, and that I did not at that time consider myself at liberty to address them further.

I have now to inform them, that I have been heard by that honourable body, and have laid before them a

narrative of my transactions, as their Agent and Minister in Europe, and that I attend their decision on my conduct. Nothing which Mr. Payne has published could have induced me to alter my resolution to remain silent, until the determination of Congress should be known, had he not in his wanton madness for abuse, invective and misrepresentation, ventured to state the affair of the supplies, which were procured by me in France, in a manner totally contrary to the truth, and highly injurious to these States, as well as to the justice, honour, and dignity of the Court of France. He has asserted and laboured to prove, that those supplies were not a commercial concern, but a *present*, and that this *present* was made previous to my arrival in France. I shall content myself at present, with assuring the public, that this is a falsehood in every part of it, and that Congress have long since had the fullest proofs laid before them of what I now assert, which proofs shall at a proper time be laid before the public.

I cannot condescend to follow this writer into that labyrinth of invective and falsehoods, into which he endeavours to lead the public judgment; but as his bold assertions and pretensions to State secrets may impose on persons unacquainted with his character, I beg leave to lay before the public, the following out of the many falsehoods, with which his publications teem:

With a view to lessen the public opinion of the effects of my exertions in the service of my country, he says, "*that we might not attribute too much to human or auxiliary aid, so unfortunate were those supplies, that only one ship out of the three arrived; the Mercury and Seine fell into the hands of the enemy.*"

The fact is thus; eight ships sailed from France, with those supplies, viz. The Amphitrite, the Seine, the Mercure, the Therese, the Amelia, the

the Marie Catherine, the Mere Boobie, and the Flammand. Of these eight vessels, with supplies of artillery, cloathing, and warlike stores, to the amount of about four million of livres, one only fell into the hands of the enemy; the Seine, on account of the season of the year, went to Martinico, instead of venturing on this coast, as I had ordered it, and, after delivering a capital part of her cargo to Mr. Bingham, Agent for Congress, was taken by the enemy with the remainder, on her passage from that island to these States.

S. DEANE.

N. B. A livre is nearly equal to ten-pence half-penny sterling.

Philadelphia,

January 11, 1779.

To Mr. DEANE.

I discovered the mistake respecting the Mercury too late to correct it; but as it was a circumstance no ways interested with the matter in question, I omitted doing it till I could get the particulars when and where they arrived, and wrote to a gentleman for that information, it being a branch that does not belong to this office. You have corrected it for me, and affixed to it the name of a "*falsehood*." As whatever is not true must be false, however immaterial, therefore you have a right to give it that name.

I was somewhat curious to see what use you would make of it; for if you picked that out from all the rest, it would show that you were very hard set, notwithstanding my reply has been extensive and my allegations numerous.

Having thus submitted to be set right by Mr. Deane, I hope he will submit to be set right by me. I have never laboured to prove that the supplies were or are a present. On the contrary, I believe we are got too fond of buying and selling, to receive a present for the public when

there is nothing to be got by it ourselves—The Agent's profit is to purchase, not to receive.

That there was a disposition in the gentlemen of France to have made America a very handsome present, is what I have a justifiable authority for saying; and I was unwilling these gentlemen should lose the honour of their good intentions, by Mr. Deane's monopolizing the whole merit of *procuring* these supplies to himself. Though I am certain that no man, not even an enemy, will accuse me of personal covetousness, yet I have a great deal of what may be called public covetousness, and from that motive, among others, I sincerely wish Mr. Deane had never gone to France.

Mr. Plain Truth speaks of Mr. Deane as if he had discovered a mine from whence he drew those stores, which nobody before knew of; whereas he received information of it from this city. "*We make no doubt but you have been made acquainted with the negotiations of M. H.—, and in consequence thereof, we conclude that you will be at no loss,*" In short, Sir, the matter was in France before you were there, and your giving out any other story is wandering from the fact. I can trace it myself to the 21st of December, 1775, and that not as some have supposed, a national or Court affair, but a private though extensive act of friendship.

COMMON SENSE.

January 15, 1779.

For the REMEMBRANCER.

We have at last triumphed over our enemies, and thereby secured the independence of our country. We have crossed the red sea of a bloody war, and have beheld hosts of our enemies swallowed up behind us. But the great business of establishing our liberties is yet to begin. We have a wilderness before us, bent with dangers and difficulties, through which

which we must pass before we arrive at the land of promise. It becomes us, therefore, to beware of loitering on the sea-coast, or of setting up idols like those we left behind us, lest the same calamities should befall us which befell the children of Israel. Through Divine goodness, we have nothing now to fear from our British or Tory enemies. Their rage and machinations are now at an end.—It becomes us, therefore, to be jealous only of ourselves. The seeds of tyranny and slavery are sowed in human nature.—They existed in the celebrated patriots of Rome and Athens.—They existed in the patriots who placed the Hanover family upon the throne: hence, Trenchard informs us, that the Whigs in England, while they were in power, were always Tories; while the Tories, who were out of power, were always Whigs. The septennial Parliaments in Britain, with all that system of corruption which has finally dismembered and ruined the British empire, were originally introduced by the Whigs: their motives for some of their arbitrary measures were good; but they have taught us, that the best motives and ends can never sanctify unjust means in obtaining them.

Having established this fundamental maxim, that human nature is the same in all countries and in all parties, with respect to tyranny and slavery, I go on to observe, that in all countries, men entrusted with power, have shewn a disposition to abuse it: it is immaterial whether this power is hereditary, or derived from the suffrages of a free people. I do not mean to lessen the respect that is due to rulers, far from it; but I insist upon it, that rulers should be watched like beasts of prey that have been tamed. Private integrity is no barrier against the insinuations of unjust power in legislators; nor is a tenfold portion of Whigism, or

even the restraints of religion, sufficient checks upon a disposition rendered arbitrary by power: nothing, but the fear of the people, can keep rulers upright for any length of time: no magistrate ever dared to become a tyrant, while the people were vigilant and jealous of their liberties. Popular security, and a mistaken or an idolatrous confidence in the wisdom or goodness of rulers, must always pave the way for tyranny. Good men in power sometimes prove dangerous to a State, by lulling it into security. Yes, there are "Virtues" (as Addison says) that "undo a country." The amiable and virtuous Pompey prepared the people of Rome for the tyranny of Cæsar. The political happiness and misery of a nation depends entirely upon itself. A people cannot be enslaved without their own consent. Julius Cæsar found the people of Rome with collars about their necks, and even Oliver Cromwell would not have dared, perhaps would not have thought of, overthrowing the liberties of his country, had he not found the people of England so much fascinated with the lustre of his military character and exploits, as to prefer the pomp of his Protectorship to a government, by a Parliament composed of a set of psalm-singing republicans, who were, in other respects, some of the first men that ever lived on the face of the earth. It is unjust then to declaim against tyrants. They are criminal only in a second degree. The folly, the ignorance, the stupidity, and the baseness of the people should be the principal subjects of our resentment, whenever we talk of the ravages of tyranny, or the evils which slavery has brought upon human nature. It is a fact, that every nation is as free as it deserves to be. The nations of Europe do not deserve our pity. They are in love with their chains. Like certain animals, they can see only in the dark.

dark. A glimpse of the sun of liberty would blind them.

A CENTINEL.

[*Pennsylvania Journal.*]

For the REMEMBRANCER.

*A supposed* PREAMBLE of a proposed ACT for the gradual ABOLITION of SLAVERY.

When we contemplate our abhorrence of that state, to which the arms and tyranny of Great-Britain were exerted to reduce us. When we look back on the variety of dangers to which we have been exposed, and how miraculously our wants have in many instances been supplied, and our deliverances wrought. When even hope and human fortitude became unequal to the conflict, we cannot but be led to a serious and grateful sense of the blessings we have received from the hand of that being from whom every good and perfect gift cometh. Impressed with these ideas, we conceive it to be our duty, and rejoice that it is in our power to extend a portion of that freedom to others, which he hath extended to us, and a release from that state of thralldom to which we ourselves were tyrannically doomed, and from which we have every prospect of being happily delivered.

It is not for us to enquire into the reasons why, in the creation of mankind, the inhabitants of the several parts of the earth, were distinguished by a difference of feature or complexion. It is sufficient to know, that all are the work of one Almighty hand. We see in the distribution of mankind, that the most fertile as well as barren parts of the earth, are inhabited by men of different complexions with ourselves, from whence we may reasonably as well as religiously infer, that he who placed them there, bestowed on them

equally with others a portion of his care and protection, and that it becometh not us to counteract his mercies.

We esteem it a particular blessing granted to us, that he hath enabled us at this day, to add one more step towards universal civilization, by lessening the sorrows of those who have hitherto lived in undeserved bondage; and from which, by the assumed authority of the Kings of Britain, no effectual legal relief could be obtained.

Weaned by a long course of experience from those narrow prejudices and partialities we had imbibed, we find our hearts enlarged with kindness and benevolence towards men of all nations and conditions, and at this period conceive ourselves extraordinarily called upon by the blessings we have received, to manifest the sincerity of our profession, and to give some effectual token of our gratitude. And whereas the condition of the persons of those who have hitherto been denominated negro and mulatto slaves, has been attended with circumstances that not only unjustly deprived them of the common blessings to which they were by nature intitled, but to cast them into those deep afflictions of heart, by an unnatural separation and sale of their persons from each other; and of the persons of their children, which can only be conceived by supposing ourselves in the same situation.

In justice, therefore, to persons so unhappily circumstanced, and who, by having no prospect before them, whereon they may rest their sorrows or their hopes, have no natural inducement to render that service to society they might otherwise do; and in grateful commemoration of our own happy deliverance from that state of *unconditional submission* to which we were doomed by the tyranny of Great Britain;—Be it enacted, &c. That from and after the

the 4th July, 1776, (the glorious æra of Independence and Liberty to America) all male and female children born, &c.

[*Pennsylvania Journal.*]

*Philadelphia, January 14.*

*Extracts of a letter from good authority at the Hague, dated the 7th of September last.*

“ In Holland the augmentation of the land army is proposed at the meeting of every assembly, and each time flatly refused by the city of Amsterdam. The advice of this city peremptorily opposed to that of the body of nobility, has just been presented as its *ultimatum*, to be inserted in the acts of the Republic. It is a master piece of 32 folio pages, which takes up the whole state of the Republic, and points every part to its true interest. America is therein mentioned.

“ The merchants here are very much dissatisfied, and complain bitterly that the Republic’s squadrons are sent far from their home, to cruise in a useless manner in the Mediterranean, and to the westward, so that the English can plunder and seize at pleasure their merchantmen in the channel and in the North Sea. Finding the protection they have a right to expect from the State so inefficient, those of Amsterdam have voluntarily imposed on themselves double tonnage and poundage: the sum raised by this imposition is employed in fitting out of fourteen or fifteen men of war, whose destination is to protect the commerce in those seas.

“ France has communicated to the Republic the first article of the regulation, which you will see in the Gazette of Leyden of the 14th of August; in order that French goods on board of their ships may be respected by the English, that otherwise all English goods will be seized. This is enough to give you a general

VOL. VII.

idea of the fermentation in which things are here.

“ I am informed from the best authority, that the Chamber of Commerce at Picardy has advised the Republic, by its Ambassador at Paris, that if they do not provide for the security of their flag, their coasters, who sail from one part of France to the other, can be no more employed. The cities who in the Provincial Assembly of Holland, accede to the votes of Amsterdam, or who are nearly in sentiments with them, are the following,——Harlem, Dort, Delft, Gouda.

“ I felicitate, with all my soul, Pennsylvania and the Jerseys on their happy deliverance; and I pray to God that New-York and Rhode-Island may speedily enjoy the same felicity.

*The following is translated from the LEYDEN GAZETTE.*

*Paris, August 7.*

The King having ordered a representation to be made to him of the ancient regulations concerning the navigation of neutral vessels during a war, his Majesty has judged proper to renew their dispositions, and to add to them those which have appeared to him the most proper to preserve the rights of neutral powers, and the interests of their subjects, without, nevertheless, authorizing any abuse which might be made with their flag. And, in consequence, his Majesty hath ordered, and does order, what follows, viz.

Article 1. His Majesty forbids all armed vessels to stop or conduct into the ports of this his kingdom, ships belonging to neutral powers, even when they have sailed from or bound to an enemy’s ports, excepted however those who carry succours to places blockaded, invested or besieged. In regard to neutral ships, loaded with contraband goods destined for the enemy, they may be stopped, and the

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goods seized and confiscated, but the vessels and the overplus of their cargo shall be released, unless the said contraband goods should amount to three fourths of the value of the cargo, in which case the whole value of the ship and cargo shall be confiscated. His Majesty, however, reserves to himself to revoke the liberty granted by the present article, if the powers at enmity do not grant the same within the space of six months from the day of the publication of these presents.

Article 2. The masters of neutral vessels shall be held to justify at sea their neutral property by passports, bills of lading, invoices and other ship papers, one of which at least shall prove the neutral property, or contain a precise enumeration of it. And as to charter parties and other papers which should not happen to be signed, his Majesty ordains, that they be regarded as null and of no effect.

Article 3. All vessels taken, of whatsoever nation they be, neutral or allies, if it shall be proved they have thrown any papers over board, or otherways suppressed or made away with them, they and their cargoes shall be declared good prizes, on the single proof of papers having been thrown over board, without any need of examining what those papers were, by whom they were thrown away, or whether or no sufficiency remains on board to justify that the ship and cargo belonged to friends or allies.

Article 4. A passport, or permit, shall serve only for one voyage, and shall be reputed null, if it be proved that the vessel for which it was granted was not at the very time of its delivery in any of the ports of the Prince who granted it.

Article 5. No regard shall be paid to the passports of neutral powers, if those who have obtained them have infringed them, or if the

passport expresses a name of a ship different from that mentioned in the other ship papers, unless proof of the change of the name and of the identity of the vessel should be amongst those said papers, received by the public officers of the place from whence they sailed, and recorded by the principal public officer of the said port.

Article 6. Neither shall any regard be paid to passports granted by neutral or allied powers either to owners or masters of vessels, subjects to the States of his Majesty's enemies, if they had not been naturalized, or if they have not transferred their residence into the States of the said powers three months before the first of September, of the present year. Nor shall the said owners or masters of the said vessels, subjects of the States in enmity, who may have obtained the said letters of naturalization, enjoy their effect, if, since they have obtained them, they have returned to the States in enmity with his Majesty, to continue their trade.

Article 7. The vessels built by the enemy, or which shall have had an enemy as an owner, shall not be reputed neutral, or allied, unless some authentic paper is found on board, passed by public officers, which may ascertain the date, and justify the sale or cession of it, made to some one of the subjects of the allied or neutral powers, before the commencement of hostilities, or if the said act of transfer of property from the enemy to the neutral or allied subject has not been duly recorded by the principal officer of the port of departure, and signed by the proprietor or his attorney.

Article 8. In regard to vessels of the enemy's construction, which shall have been taken by his Majesty's ships, those of his allies, or of his subjects, during the war, which shall afterwards be sold to the subjects of allied or neutral States, they shall not

not be regarded as good prizes, if there are found on board acts in good form passed by the public officers proposed for that purpose, justifying their having been taken and afterwards sold and adjudged to the subjects of allied or neutral States, either in France or in the ports of the allied States; for want of which justifying papers, proving the prize and the sale, those vessels shall be good prize.

Article 9. All foreign vessels, on board of which there shall be a supercargo, merchant, clerk, or officer of a country in enmity with his Majesty, or of which the ship's company shall be composed of more than one third of seamen, subjects of the States at enmity with his Majesty, or who shall not have on board a portage bill, attested by the public officers of the neutral ports from whence they sailed, shall be good prizes.

Article 10. His Majesty does not mean to comprehend in the dispositions of the preceding article, such ships whose captains or masters can justify, by facts found on board, that they were obliged to take officers or sailors in the ports where they put in, to replace those of neutral countries, who died in the course of the voyage.

Article 11. His Majesty wills, that no papers which may be produced after the capture of the vessels, may be worthy of any faith, nor in any way useful, either to the owners of said vessels, or to the goods therein shipped, as his Majesty requires that, on all occasions, credit be given only to the papers found on board.

Article 12. All ships belonging to neutral powers, sailing from the ports of this kingdom, having on board no other goods or merchandize, except those which have been there shipped, and which shall have passports from the Admiral of France, shall not be stopped by the French

cruisers, nor brought back into the ports of this kingdom on any pretext whatever.

Article 13. In case of trespass on the part of the French cruisers against the dispositions of the present regulation, seizure shall be made of their ships, and the goods which compose their cargoes, besides those subject to confiscation; and they shall be condemned in all damages and interest which may appertain.

Article 14. His Majesty ordains, that the dispositions of the present regulation shall take place in regard to ships which shall run ashore on the coasts of his dependence.

Article 15. Furthermore, his Majesty wills, that the article concerning prizes, in the Ordinance of Marine, of the month of August, 1681, be executed according to its form and tenor in all that hath not been derogated from by the present regulation, which shall be read, published, and recorded in all the Courts of Admiralty. His Majesty orders and commands the Duke de Penthièvre, Admiral of France, to give ull obedience to it.

Done at Versailles, the 26th of July, 1778.

Signed, LOUIS.

And under,  
DE SARTINE.

*Philadelphia.*

*Extract of a letter from Martinico, Feb. 7.*

“ One of our frigates has taken two of the British, in two different encounters, the *Swift*, of 24 guns, and the *Wasp*, of 16. We have provision here for some time. By the latest intelligence from France, we learn, that the three ports of Dunkirk, St. Maloe's, and Bayonne, have fitted out 130 privateers, from 20 to 36 guns, that have already done wonders. There were at the departure of the letters that brought this intelligence, 7000 British prisoners in those

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three ports. Considerable preparations are now making in France. Every body is in the highest spirits, all the merchants set up a privateering, Trade has entirely given place to WAR. We are at this time well provided to humble the pride of Great-Britain, and to wash out the stain which the last peace left upon us."

*Extract of another letter from Martinico, Jan. 29.*

"Messrs. Byron and Barrington are still at St. Lucia, and pay for their imprudence by burying twelve or fifteen soldiers every day. They are anxiously employed in seeking for places the least unhealthy, for fixing their hospitals. If this mortality continues, their army will not long be able to hold this tomb of Europeans. As to other matters, the two fleets observe and mutually confine one another. We wait for the Squadron of M. de Count de Grasse,

"The frigate Swift, cleared for London, and carrying dispatches with an account of the taking of St. Lucia, has been taken by the King's frigate Boudeuse, commanded by the Comte de Gagne. The dispatches which were going in the Swift have fallen into our hands."

*Baltimore, February 9.*

*Extract of a letter, addressed to Mons. Le Chevalier D'AMOURS, Consul of France, for the State of Maryland, dated Nantz, November 25, 1778.*

"Above two hundred frigates and privateers have considerably annoyed our trade for some time; but ours have of late taken many of them, and dispersed the greatest part of the rest. We are assured that peace is much talked of in London, and that the Court of Spain has declared, that she could not dispense with taking part with France, if that of Great-Britain did not accede to the proposals of that of Versailles."

*Trenton, Feb. 17.*

*Extract of a letter from a correspondent at Woodbridge, dated February 10, 1779.*

"Last Tuesday, about three o'clock in the morning, a party of the new levies from Staten-Island, came over into Woodbridge, and marched up into the town undiscovered, to the house of Charles Jackson, in which there happened to lay that night a scout of continental troops from Bonem-town, consisting of twelve men. The centinel did not discover them till they had well nigh surrounded the house, it being very dark, when he fired and ran off, making his escape; the rest being unfortunately asleep, were taken by surprize, without making any resistance. Their principal object was Nathaniel Fitz Randolph, who lived at this house. He had just returned from Staten-Island, having been over there with a small party, chief of the night, and was but a few minutes in the house before he was alarmed by the firing of the centinel, when they instantly rushed into the house, and seized him and Mr. Jackson, with the scout as above. The party were gone before the inhabitants had time to collect, without doing any other damage except plundering the house of a few trifling articles, taking the shoe-buckles out of the women's shoes, which was as little or more than could be expected, considering the usual practice of the British troops, as the men were restrained from plundering by their officer, said to be a Captain Ryerson, of Buskirk's regiment, who seemed actuated by principles of honour and humanity; and upon this occasion, imitated the laudable example of Captain Randolph, who has not only distinguished himself by his activity and bravery, but by his politeness and generosity towards such as he hath taken prisoners, never allowing

allowing his men to plunder—a practice most ignominious and base, by which Britons have, in the present contest with America, greatly disgraced themselves, and deserve to be for ever despised.

*Camp, Middle-Brook, Feb. 6, 1779.*

The Commander in Chief approves the orders issued by Major-general Lord Stirling during his command at this camp, and thanks him for his endeavours to preserve order and discipline, and the property of the farmers in the vicinity of camp. He doubts not but the officers of every rank, from a just sense of the importance of securing to others the blessings they themselves are contending for, will use their utmost vigilance to maintain those privileges and prevent abuses, as nothing can redound more to their personal honour and the reputation of their respective corps,

Extract from General orders,

ALEXANDER SCAMMELL, Adjutant-general.

*In Congress, January 2, 1779.*

Whereas these United States, unprovided with revenues, and not heretofore in a condition to raise them, have, in the course of the present war, repeatedly been under the necessity of emitting bills of credit, for the redemption of which the faith of these United States have been solemnly pledged; and the credit of which their honour and safety, as well as justice, is highly concerned to support and establish. And whereas to that end it is essentially necessary to ascertain the periods of their redemption, and seasonably to establish funds, which, in due time, without distressing the people, shall make adequate provision for the same. And whereas, in apportioning the payments for the said fund, it is expedient that an extra sum be called for the current year, both on account of the present ease of paying it, and to reduce the surplus in circulation. Therefore

Resolved, That these United States

be called on to pay in their respective quotas of fifteen millions of dollars in the year 1779, and of six millions of dollars annually, for eighteen years, from and after the year 1779, as a fund for sinking the emissions and loans of these United States to the 31st day of December, 1778, inclusive.

That if the continuance and circumstances of the war shall make any further emissions necessary the year ensuing, they shall be sunk in the manner and within the period aforesaid.

That any of the bills emitted by order of Congress, prior to the year 1780, and no others, be received in payment of the said quotas.

That the bills received on the said quotas, except those for the year 1779, be applied first for payment of the interest, and secondly, of the principal of loans made by these United States, prior to the year 1780, and that the residue, together with those received on the quotas of the year 1779, be not re-issued, but burned and destroyed as Congress shall direct.

And whereas many counterfeits have appeared in circulation, of various denominations, of the emissions of May 20, 1777, and April 11, 1778, and counterfeits of these emissions have lately been issued by our enemies at New-York, and are found to be spreading and increasing fast in various parts of these United States, whereby individuals are defrauded, prices enhanced, and the credit of the paper currency greatly injured; and it is become necessary for the security of individuals, and safety of the public, that those two emissions should cease to be a circulating medium, and should be called in and exchanged, or otherwise provided for as soon as may be, with convenience to the present holders. Therefore

Resolved, That the following bills be taken out of circulation, namely, the whole emission of May 20, 1777, and April 11, 1778.

That

That they be brought in for that purpose in the manner hereafter provided, by the 1st day of June next, and not afterwards redeemable.

That they be received for debts and taxes into the Continental Treasury, and into the State Treasuries for Continental taxes, until the 1st day of June next.

That they be received until the 1st day of June next, into the Continental Loan Offices, either on loan, or to be exchanged at the election of the owners, for other bills of the like tenor, to be provided for that purpose.

That the bills lodged in the said offices to be so exchanged, be there registered, and indented certificates thereof given to the owners by the respective Commissioners of the said offices.

That the Commissioners of the Loan Offices make returns to the Treasury Board, immediately after the 1st day of June next, of the amount of the bills received into their respective offices to be exchanged as aforesaid; and that proper bills to exchange the same be furnished, and ready to be delivered out at their said offices, within sixty days from and after the said 1st day of June.

That the first mentioned bills, as they are brought into the Treasuries and Loan Offices, be immediately crossed and struck through with a circular punch of one inch diameter, to be afterwards examined and burned, as Congress shall direct.

Extract from the minutes.

CHARLES THOMPSON, Sec.

*In Congress, January 9, 1779.*

Resolved, That the Commissary General of Prisoners be furnished with money from time to time, by the Treasury Board, for the purpose of subsisting the officers and soldiers of the United States while in captivity, and in the actual possession of the enemy, and to accommodate them with sufficient sums on account, to defray their travelling expences to their homes or regiments.

That the accounts of all prisoners who shall hereafter be released from captivity for the pay and subsistence due to them, while in the actual possession of the enemy, be received and adjusted by the said Commissary General, who, after charging them with the monies he shall have supplied them, shall certify the sums due thereon to the Pay-master-general, the Deputy Pay-master-general of any military department, or Pay-master of the Board of War and Ordnance, as shall be most convenient for the prisoners respectively, which sums shall be paid by the said Pay-masters, upon warrants to be given for the same, as usual for other payments by them made.

That the accounts of all prisoners heretofore released from captivity for their pay and subsistence, while in the actual possession of the enemy, and of all prisoners whatsoever, for all matters previous and subsequent thereto, be, and they are hereby directed to be, settled by the Commissioners of Accounts at Camp, or those where Congress shall sit, according to the convenience of the prisoners respectively, each Board communicating their settlements to the other, to prevent mal-practices or mistakes.

That all officers, while they continue prisoners on parole, shall receive their pay and subsistence of the Pay-master-general, or Deputy Pay-master general, of the department in or nearest to which they reside, by warrant from the Commander in Chief, or General Officer, commanding in the department, or of the Pay-master to the Board of War and Ordnance, by warrant from the Board: these subordinate Pay-masters to transmit accounts monthly to the Pay-master general of all such payments.

That for defraying the expences of officers and soldiers released from captivity on their way home, or to join their regiments, the said Commissary General of Prisoners, and  
Commissioners

Commissioners of Accounts respectively, in settling the accounts aforesaid, make an allowance of one day's pay and rations for every twenty miles such officers and soldiers had or have to travel to their homes, in case of the expiration of their time of service or release on parole, or, if otherwise, to join their regiments.

That the Pay-master-general and other persons having already paid of advanced monies to prisoners, send accounts thereof immediately to the aforesaid Commissioners of Accounts.

That the Commissary General of Prisoners be allowed a Clerk, to enable him to perform the extra duty above assigned him, to assist him in the usual business of his department, and perform the duties and receive the pay and rations of a Deputy Commissary of Prisoners.

Extract from the minutes.

CHARLES THOMPSON, Sec.

*In Congress, March 25, 1779.*

Whereas the Bahama Islands are now garrisoned by and under the military government of the King of Great-Britain, and the inhabitants of the said Islands have fitted out many privateers, and other armed vessels, and have captured divers vessels, the property of the citizens of these States, on the coast of South-Carolina,

Resolved, That the resolution of Congress, the 24th of July, 1776, so far as it relates to the said Bahama Islands, be repealed, and from and after the date of this resolution, be held void.

CHARLES THOMPSON, Sec.

*For the REMEMBRANCER.*

*Translation of an order of the French King's Council of State, relative to a new duty on the commodities and products, which the subjects of the Republic of the United Provinces shall carry into any of the ports of France. Dated April 27, 1779.*

*Extract from the Registers of the Council of State.*

The King having declared, by the declaration of his Council of the 14th of January last, concerning the navigation and commerce of the subjects of the Republic of the United Provinces of the Low Countries, that his Majesty will occasionally lay new duties on the commodities, and products of the manufactures of the said subjects, his Majesty has determined, as the easiest method of forming a new duty, to levy *fifteen per cent.* on the value of the said commodities and products, besides the duties usually paid; and being desirous of having these his intentions made known, the King, being present in Council, has ordered, and orders as follows:

Art. 1. From the 1st of May, 1779, the commodities and articles of the growth, fishery, manufactures, and commerce, of the subjects of the Republic of the United Provinces of the Low Countries, shall pay, on their entrance into any port of France, over and above the duties actually existing, *fifteen per cent.* of their value.

2. The said duties actually existing, and the *fifteen per cent.* of the value of their commodities and merchandizes abovementioned, shall be paid, even in the time of fairs, and on their entering into the ports of places reputed foreign.

3. His Majesty, however, excepts drugs used in dying, madder, hemp, wool, tallow, kali, rosin, pitch and tar, malts, timber, and cordage, which shall continue to be treated as formerly.

4. The inhabitants of the cities of Amsterdam and Harlem shall be allowed the same exemptions and favours they have hitherto enjoyed, with respect to the articles of their growth, fishery, manufacture, and commerce, provided they prove, by a certificate from the Commissary of the

the Marine at Amsterdam, that the said articles were really of their growth, fishery, manufactures, and commerce.

His Majesty commands and enjoins the Intendants and Commissaries of his provinces, properly to attend to the execution of this order. Given in the King's Council of State, (his Majesty being present) held at Marli, the 27th day of April, 1779.

Signed DE SARTINE.

Louis, by the grace of God, King of France and Navarre, &c. &c. to our beloved and faithful Counsellors of our Council, to the Intendants and Commissaries in the provinces and districts of our kingdom, *greeting*; We command and enjoin you by these presents, signed by us; properly to attend to the execution of the order hereunto affixed, under the counter-seal of our Chancellor, this day made in our Council of State, we being present, for the causes therein contained: we command our Usher or Serjeant, upon this request, immediately to declare this order to all whom it shall concern, in order that no person may plead ignorance thereof; and to take, for the more effectually executing the same, every necessary act and measure, without any other permission, notwithstanding the clamour of hue and cry, the Normandy charter, and letters to the contrary. The copy of these orders and presents, collated by one of our beloved and faithful Counsellors, shall receive the same credit as the originals, *for such is our pleasure*. Given at Marli the 27th day of April, 1779, in the fifth year of our reign.

Signed Louis.

For the REMEMBRANCER.

Copy of a letter from Lord DRUMMOND to General WASHINGTON.

Sir, New-York, Nov. 14, 1778.

As I design to embark soon for England, I must once more apply to you on a subject which has given me

much concern. I allude to your letter of the 17th of August, 1776, in which a charge was brought against me for a breach of parole. You cannot but remember my letter to you, two days after, in which I desired a personal interview with you at New-York, at that time the headquarters of the army under your command. By this proceeding I meant at the same time to shew you, and the whole world, that I was not afraid to throw myself into your power, and that I wished for nothing so much as an opportunity of learning upon what grounds I could have been accused, and of convincing you, that you had been deceived by some gross misrepresentation, or by a most injurious and wicked calumny.

This producing no answer, things remained in the same situation, till a publication of the Congress in October following, wherein I found your letter, containing the charge against me, was given to the public, but without being accompanied by mine in reply to it. Willing to impute this circumstance either to miscarriage of letters, or to the multiplicity of business, I again, by a letter in December following, called upon you to specify this charge, in order that my defence might be as public as the attack. This, however, did not effect the desired purpose; neither did I find that the interposition of General Lee, by a letter of June, 1777, produced any satisfaction with regard to the nature of this charge.

Under these circumstances, I cannot, in justice to myself, avoid calling upon you once more, to explain an accusation made in such general terms as admits only an absolute and as general a denial.

I have the honour to be, Sir,  
your most obedient

humble servant,

DRUMMOND.

I N D E X.

# I N D E X

## To the SEVENTH VOLUME of the REMEMBRANCE.

<b>A</b>	
<b>A</b> BSTRACT of the Continental debt of America. ———	193
<b>A</b> ct of Massachusetts-Bay, to prevent the return of certain Persons. ———	139
— of Virginia, sequestering British property. ———	143
<b>A</b> cutshet River, return of vessels and stores destroyed there. ———	38
<b>A</b> dams, Mr. his letter from France to the American Congress ———	292
<b>A</b> ddress of a Virginian to the British Commissioners in America ———	133
— of the inhabitants of New-York to the British Commissioners. ———	180
— the answer thereto. ———	181
— of Mr. Deane to the people of America. ———	185
— and petition of the West-India planters and merchants to the King. ———	191
<b>A</b> dmirals, their memorial to the King. ———	288
<b>A</b> lliance with France, American observations thereon. ———	182
<b>A</b> merica, address to the free and virtuous citizens of ———	183
<b>A</b> merican crisis, the, No. VI. ———	304
— The answer thereto ———	310
— No. VII. of that publication, ———	317
<b>A</b> msterdam, memorial of the merchants of, to the States General of the United Provinces ———	92
— Merchant, his speech to the Prince Stadtholder. ———	100
<b>A</b> ntigua, a letter from thence on the taking of Dominica. ———	164
<b>A</b> rnold, Gen. resolutions of the council of Philadelphia against him. ———	349
— his answer thereto. ———	351
<b>B</b>	
<b>B</b> arbadoes, extract of a letter from thence relative to the taking of Dominica. ———	84
<b>B</b> arrington, Admiral, attacked at St. Lucia by Count d'Estaing, whom he beats off. ———	234
— his letter to Gov Morris. ———	235
— his letter to the Admiralty on the taking of St. Lucia. ———	278
<b>B</b> aylor's Regiment, Dr. Griffith's account of the massacre of, ———	292
— Affidavits in support thereof. ———	294
<b>B</b> eatly, Mr. John, commissary general for rebel prisoners, his letter. ———	178
<b>B</b> edford and Fair Haven, Gen. Grey's account of his successes there. ———	36
<b>B</b> ills and money, resolutions of Congress thereon ———	347

<b>B</b> oston, Proclamation concerning a riot there between the American and French sailors, ———	112
<b>B</b> ritbont, Capt. his letters to Lord Howe, particularising his proceedings at Newport, &c. ———	42
<b>B</b> rown, Lieut. further particulars respecting his death ———	5
<b>B</b> utler, Col. particular account of the conduct of the Indians under him. ———	51
— his letter to Gen. Stark ———	253
<b>B</b> yron, Admiral, his letters from Halifax ———	29
— arrives at New-York in the Princess Royal ———	145
— his letters to the Admiralty on his arrival in the West-Indias, ———	286
<b>C</b>	
<b>C</b> ampbell, Col. his letters to Lord George Germain on the proceedings in Georgia ———	235
<b>C</b> anada, the declaration of the Count d'Estaing to the ancient inhabitants of ———	251
<b>C</b> arolina. See South Carolina.	
<b>C</b> arlisle, the Earl of, addressed by an American ———	20
<b>C</b> avalry of the province of Virginia requested to return ———	302
<b>C</b> entinel, 3; triumphs in the independency of his country ———	391
<b>C</b> eres, an English Frigate, taken by the French in the West-Indies, ———	285
<b>C</b> hartres, Fort, taken by the Americans ———	340
<b>C</b> hatham, Earl of, copy of a secret and confidential letter to that Nobleman ———	80
— his letters to Mr. Sayer, foretelling the loss of the American Colonies ———	174
<b>C</b> linton, Sir Henry, his letters to Lord George Germain, on the state of affairs in America, ———	26
— his letters to Gen. Washington, proposing an exchange of the Convention troops ———	35
— his reply to Gen. Washington's answer ———	257
— his Proclamation concerning deserters ———	397
— Account of the distribution of the British Army under his command in North America ———	106
<b>C</b> olins, Capt. his account of the expedition to Egg-Harbour ———	54
<b>C</b> ollier, Sir George, his letters from Halifax harbour ———	30
<b>C</b> ommissioners, from Great Britain to America, their letters to Congress ———	11
<b>C</b> ommon Sense, the address of, to the Public ———	386



I N D E X.

Common Sense, the address of, to Mr. Deane	390	Congress, letters between the President of, the Marquis de la Fayette, and General Washington	299
Congress, resolve to give thanks to General Washington and his gallant officers	4	_____ issue orders to suppress horse-racing, gaming, and other useless diversions	303
_____ receive a message from M. Gerard	5	_____ from the President of to Adm. Gambier, concerning the release of the crew of the Hotham	<i>ibid.</i>
_____ account of the ceremony used at the first audience of M. Gerard with them	<i>ibid.</i>	_____ return thanks to Henry Laurens, Esq. and his answer thereto	<i>ibid.</i>
_____ speech of that gentleman on the occasion	7	_____ order Major Talbot's letter to Gen. Sullivan to be published	338
_____ answer of their President thereto	8	_____ order the Marquis de la Fayette's letter to be read	339
_____ order Governor Johnstone's letter to Francis Dana, Esq; to be read	<i>ibid.</i>	_____ grant a pension to Monf. Touzer	<i>ib.</i>
_____ as also his letter to Gen. Reed	9	_____ their resolutions on bills and money	347
_____ and to Robert Morris, Esq;	10	_____ list of, as chosen for the year 1779	348
_____ their resolutions in consequence of the letter from the English Commissioners	11	_____ their resolutions against David Franks, Esquire	349
_____ receive a remonstrance from the Commissioners on the detention of the prisoners made at Saratoga	13	_____ resolutions of, respecting levies of money	397
_____ their declarations on the above business	14	_____ resolutions concerning the regulation of prisoners	398
_____ Gov. Johnstone's reply thereto	15	_____ resolutions respecting the Bahama Islands	399
_____ declaration of the other three Commissioners on the same subject	17	Continental debt of America, an abstract of	193
_____ order Mr. Drayton to publish an answer to the letters and addresses of the said Commissioners	55	_____ observations thereon	194
_____ resolve to appoint a Treasurer of Loans	105	Cornwallis, General, his letter to Lord George Germain, on the affair at Rhode Island	29
_____ declare Mr. Francis Hopkinson elected into that office	<i>ibid.</i>	Cruget and Mallard, their letters to Mr. Perry	1
_____ publish their resolves relative to the detention of Gen. Burgoyne's troops	112		
_____ their resolutions concerning the wounded, &c.	113	D.	
_____ make further resolutions concerning that business	115	D'Anmours, Monf. le Chevalier, extract of a letter addressed to	396
_____ publish their resolution and manifesto	132	Deane, Mr. his address to the people of America	185
_____ their resolutions on the affair at Rhode Island	167	_____ his answer to Mr. Lee	199
_____ letter from the President of, to Gen. Sullivan	<i>ibid.</i>	_____ an address to, by the author of Common Sense	360
_____ resolve to issue money for the use of their prisoners	170	_____ Mr. S. his address to the Public	389
_____ their resolves relative to the detention of Admiral Gambier's Pilot, Lieutenant, &c.	179	Deserters, General Clinton's Proclamation concerning them	352
_____ receive a letter from General Count Polaski	182	D'Estaing, Count, disappears from before Sandy Hook	106
_____ receive a letter from Adm. Gambier, on the detention of Lieut. Hall	203	_____ takes several prizes	107
_____ their resolutions concerning the exchange of the Convention troops	256	_____ erects formidable works on George's Island	112
_____ take into consideration the proceedings on the trial of Major-gen. St. Clair	262	_____ arrives at St. Lucia, attacks Admiral Barrington, and is beaten off	234
_____ their resolutions concerning their Bills	263	_____ his declaration to the ancient French of Canada	251
_____ receive a letter from the Commissioners concerning the packets	291	Detector, his answer to the queries relative to Mr. Lee	372
_____ Mr. Adams's letter to them, containing news from Europe	292	Dominica, account of the taking of that island, as published by authority at Paris	82
		_____ accounts in London relative to the capture of that place	84
		Dominica	

Dominica, extract of a letter from Barbadoes on the taking of that Island	84	French King's declaration of war at the island of Martinico	85
— Governor Stuart's account of the taking of that island	157	— King's edict for raising four millions of life annuities	116
— articles of capitulation	159	— his regulations concerning the navigation of neutral ships	355
Dodrecht, &c. a memorial from the merchants, &c. of, to the States General of the United Provinces	97	Fußer, Col. his letter to Capt. Morris	354
Drayton, Mr. his address to the English Commissioners in America	19	G.	
— his answers to the letters and addresses of the said Commissioners	55	Gadsden, Gen. a duel between him and Gen. Howe in America	290
— another address to the said Commissioners	332	Galloway, Mr. his letter to his sister	298
Drummond, Lord, his letter to Gen. Washington	400	Gambier, Adm. his account of the expedition to Egg Harbour	154
Duel, particulars of one fought between Gen. Howe and Gen. Gadsden in America	290	— his letter to the Congress, respecting the detention of Lieutenant Hall	203
Duty, a new one laid by the French on Dutch commodities	399	— receives a letter from the President of the Congress	303
E.		Gardner, Capt. his letter to Adm. Barrington on his taking a French ship of 40 guns	285
Eagle, off Sandy Hook, various dispatches sent from thence by Lord Howe	47	Gates, General, orders issued in his camp at White Plains	4
Egg Harbour, Gen. Clinton's account of the expedition thereto	150	Gazette of St. Vincent, an extract therefrom	233
— further account of that business by Admiral Gambier	154	— further particulars from the same authority	234
Elizabeth Town, Gen. Maxwell's account of the skirmish there	368	Georgia, particulars of Col. Campbell's operations there	225
England, its manufactures to be improved by encouraging the trade of Ireland	227	— American account of the proceedings there	249
English Commissioners in America, their letter to the Congress	11	Gerard, Mons. extract of a message from him to Congress	5
Evans, Commodore, his letter to the Baron de l'Esperance, in St. John's Road	148	— account of the ceremony observed at his first audience with the Congress	<i>ibid.</i>
F.		— his speech to the Congress	7
Fair-Haven, Gen. Gray's Account of his successes there	36	Grant, Gen. arrives in the West Indies with ships and men from New York	233
Fayette, the Marquis de la, his letter to the Earl of Carlisle, and answer thereto	174	— his letter to Lord George Germain on the taking of St. Lucia	278
— letters between him, the Congress, and Gen. Washington	299	Great Britain, the spirit and resources of it considered, in twelve letters	210
Ferguson, Capt. his report concerning the proceedings at Egg Harbour	151	Grey, Gen. his letter to Gen. Clinton on the success of the expedition to Bedford and Fair Haven	36
— further account of that business from the same	154	— account of his proceedings at Accushnet River	37
Fish Kill, many deserters from the British troops repair thither	112	— return of the killed, wounded and missing, in the above expeditions	<i>ibid.</i>
— particulars of a skirmish at that place	168	Griffiths, Dr. his account of the massacre of Baylor's regiment	292
France, an American's opinion of their alliance with that power	251	— supported by affidavits	294
— further considerations on that subject	330	H.	
Franks, David, Esq; resolutions of Congress against him	349	Halifax, a letter from Boston describing the miserable situation of the forces and refugees there	105
Freehold, list of the killed and wounded at that place	5	— the fortifications of that place put in a respectable state of defence	145
French King's letter to the Congress	6	Harrison and Hamilton, Colonels, appointed Commissioners by General Washington to treat for the exchange of prisoners	238
— particulars of the treaty between him and the Americans	64	Heath, Major-gen. letters between him and Major-general Phillips	2, &c.
— account of the taking of the island of Dominica	82	Holland, orders of the King of France, respecting it	357
		F f f 2	Holland,

Holland, the augmentation of their army proposed 393  
 Hopkinson, Mr. Francis, elected Treasurer of Loans to the Congress 105  
 Howe, Lord, sends dispatches to England, dated from on board the Eagle at Sandy-Hook 43  
 — his account of the proceedings of the French fleet at Rhode Island 39  
 — list of the ships under his command when he sailed from Sandy-Hook 41  
 — sends home various dispatches from Sandy-Hook and New-York 47  
 — stops at St. Helen's on his return to England 50  
 Howe, General, engages in a duel with Gen. Gadsden in America 290  
 Hotham sloop, letters concerning the detention of its crew 178  
 — letter from the President of the Congress to Adm. Gambier on that subject 303  
 Hyde, Col. appointed one of the Commissioners to treat for the exchange of prisoners 257  
 — his letter to Colonels Harrison and Hamilton 258

L

Jamaica, a description of the state of that island in 1778 162  
 Innis, Col. arrives with a letter from Col. Campbell, on the action at the Savannah 235  
 Johnstone, Gov. his letter to Francis Dana, Esq. read in Congress 8  
 — also his letter to Gen. Reed 9  
 — and another to Rob. Morris, Esq. 10  
 — is declared incapable by Congress of holding any further negotiation with them 14  
 — his declaration in consequence thereof 15  
 — his letter to Mr. Ferguson, in justification of his conduct as one of the Commissioners 33  
 Ireland, on the propriety of extending its trade, and the advantages which will thereby accrue to the manufactures of England, and the State in general 227

K

Keppel, Admiral, defended against ministerial paragraphs and attacks 86  
 King of England's Proclamation for granting the distribution of prizes during the present hostilities 170  
 King's ships and vessels, lost and taken since the commencement of the war, a list of 190

L

Laurens, Mr. President of the American Congress, his speech to Mons. Gerard 8  
 — receives the thanks of the Congress 303  
 Lee, Major-general, extracts from the trial of 137  
 — his answer to Mr. Deane 198

Lee, Major-general, his account of his own conduct 204  
 — Mr. Arthur, queries relative to that gentleman 369  
 L'Esperance, the Baron de, his letter to Commodore Evans on the surrender of Miquelon and St. Pierre 147  
 Lucie, St. the island of, surrenders to Admiral Barrington 234  
 — list of the army and navy serving there 248  
 — Gen. Grant's account of the taking of that island 276  
 — articles of its capitulation 278  
 — return of ordnance, killed, &c. 281  
 — Admiral Barrington's letters to the Admiralty on the taking of that island 282  
 Lyon, a French man of war of 40 guns taken by the Maidstone 286

M

M'Intosh, Col. his letter to Col. Fufer 354  
 Mallard and Croger, their letters to Mr. Perry of New-York 1  
 Manufactures of England may be improved by encouraging the trade of Ireland 227  
 Martinico, translation of the French King's declaration of war there 85  
 — extracts of letters from 395, 396  
 Maryland accedes to the American confederation 263  
 Maxwell, Gen. his account of the skirmish at Elizabeth Town 368  
 Massachusetts-Bay, pass an Act there to prevent the return of certain persons 139  
 Memorial of the Dutch merchants to the States General of the United Provinces 92  
 — of the merchants of Amsterdam to the same 96  
 — of the merchants, &c. of Dordrecht to the same 97  
 — delivered by Sir Joseph Yorke to the Deputies of the States General 183  
 — of the English Admirals to the King 288  
 Mermaid, the crew of that British frigate carried to Philadelphia 5  
 Michael, W. his affidavit concerning Gen. Lacy's affair 329  
 Militia case, an extraordinary one, with the Attorney General's opinion thereon 119  
 — letter from one country Justice to another in consequence of that opinion 120  
 Miquelon surrenders to the British forces 147  
 Montagu, Adm. his letters to the Admiralty on the taking of Miquelon and St. Pierre 146  
 Money and Bills, resolutions of Congress thereon 347  
 Morris, Valentine, Esq. his letter to Lord George Germain 233  
 Morris, Fort, in Georgia, attacked and taken by Gen. Prevost 244  
 Morris,

Morris, Fort, returns of the garrison and ord- nance there	244	Philadelphia, letters concerning the crew of the Hotham ship detained there	178
Robert, his address to the Public on Mr. Deane's affair	382	address, of the Council, President, &c. of, to General Washington	262
Munro, Gen. his letter to Lord Weymouth, on the taking of Pondicherry	265	resolutions of the Council of, against General Arnold	349
N.			
Navigation of neutral ships, the French King's regulations relative thereto	393	anniversary of the French alli- ance observed there	368
Navy, Surveyor's report of the state of	232	Phillips, Major-general, letters between him and Major-general Heath	2, &c.
New-York, the inhabitants of that city ad- dress the British Commissioners there	180	P'got, Gen. his letter to Sir Henry Clinton, dated from Newport	23
the answer thereto	181	his letter to Gen. Clinton on the pro- ceedings of the French at Rhode-Island	32
O.			
Oath to be taken by the inhabitants of Geor- gia	242	return of the killed, wounded and mis- sing, under his command	35
Observations of an American on their alliance with France	182	Plays, horse-races, &c. suppressed by the Congress	303
on the continental debt of Ame- rica	194	Polaski, Count, his letter to the President of the Congress	82
O'Hara, Col. appointed one of the Commis- sioners to treat for the exchange of prisoners	257	Pondicherry, Gen. Munro's letter to Lord Weymouth on the taking of that place	265
his letters to Colonels Harrison and Hamilton	258	articles of capitulation	267
and Hyde, their report to General Clinton	260	return of stores taken, killed, &c.	272
Oliver, Mr. Alderman, copies of letters to and from	85	Prevost, General, his letter from the Savan- nah to Lord George Germaine	243
P.			
Packets, letter from the Commissioners to the Congress concerning them	291	his letter to Col. White, in answer to one received from him	352
Paine, Thomas, his letter to Silas Deane, Esquire	374	publishes a proclamation	353
Palliser, Sir Hugh, publishes a paper in justifi- cation of his conduct	87	Prisoners, American, ordered to return to New-York	261
receives an answer thereto	90	Proclamation issued by the English Commis- sioners in America	126
Paragraph, a ministerial one, properly ex- plained	86	from the same to the Members of the Congress and the different States of America	127
Parker, Sir Peter, his letter from Jamaica, re- specting the prizes taken there	51	for granting the distribution of prizes	170
his letter to the Lords of the Admi- ralty, dated from Savannah in Georgia	245	of the King's Commissioners at New-York	176
return of killed and wounded, and ships taken in that expedition	247	of Governor Tryon	202
Paterfon, Surgeon of the Pallas, his letter from Newfoundland	149	of Commodore Parker and Col. Campbell at the Savannah	241
Penn, Mr. account of his property	195	of Col. Campbell for the securing of private disturbers of the peace in Georgia	243
Pennsylvania, resolutions in the assembly of that province, in answer to the Commis- sioners	331	Q.	
the Council of, issue a procla- mation requiring certain persons to surrender	340	Quarrel between French and American sailors, proclamation of the President of South- Carolina concerning it	264
an Act for regulating their trade and navigation	342	Quebec, a letter from, giving the particulars of the state of affairs there	51
their address to the English Com- missioners	345	a letter from, concerning the taking of a valuable prize	105
Philadelphia evacuated by the British troops, and taken possession of by the Americans	105	R.	
the crew of the Mermaid frigate carried to that city under guard	<i>ibid.</i>	Rainier, Capt. is wounded in taking a French ship	31
		Rattlesnake, particulars of the action between that ship and two French cutters	275
		Remonstrance of the English Commissioners in America to the Congress, on the detention of the prisoners made at Saratoga	13
			Rhode-

Rhode-Island, return of the killed, wounded, and missing, in the different attacks there	35	Tiverton, Gen. Sullivan writes from thence to the President of the Congress	108
Washington informs the Congress of the arrival of the French there	107	Treaty of friendship and commerce concluded between the French King and the Americans	65
a list of English ships of war burnt or sunk there	112	of alliance between France and America, a copy of	199
resolutions of the Congress on the proceedings at that place	167	Trenton, Congress account of the proceedings there	169
Rotterdam, memorial of the merchants of, to the States General of the United Provinces	96	Tryon, Governor, his proclamation	202
S.			
Savannah, the capital of Georgia, taken by Col. Campbell	238	Vauguyon, the Duke de, Ambassador of France to the States General, his memorial to them	184
return of ordinance taken there	240	Vernon, Sir Edward, his letter to the Lords of the Admiralty on the taking of Pondicherry	273
return of killed, wounded, and missing in the above expedition	241	Vessels of war, English, sunk or burnt at Rhode-Island, a list of	112
return of prisoners taken in the action	<i>ibid.</i>	Vineyard Sound, Martha's Vineyard, &c. return of the vessels and stores taken or destroyed there	38
Schuyler, Gen. acquitted of the charges of neglect of duty, &c.	304	Virginia, pass an Act there to sequester British property	143
Slavery, a supposed preamble of a proposed Act for the gradual abolition of	392	the cavalry of that province requested to return	302
South-Carolina, proclamation of the President of, respecting a quarrel between French and American failors	264	W.	
message from the President to the Assembly of, and the Assembly's answer	265	Washington, Gen. receives the unanimous thanks of the Congress	4
Spain, the Court of, publish their reasons for making such vast armaments	165	his letter to Gen. Gates, dated at White Plains	5
Speech of an Amsterdam merchant to the Prince Stadtholder	100	sends an account to Congress of the arrival of the Count d'Estaing at Rhode-Island	107
St. Clair, General, acquitted	292	his letter to the Congress from Fish-Kill	170
St. Lucie. See <i>Lucie St.</i>	282	his answer to Gen. Clinton's letter, on a proposition for an exchange of the Convention troops	256
St. Pierre, the island of, surrenders to the British forces	147	his answer to the address of the President, Council, &c. of Philadelphia	262
account of the several stores, &c. found there	149	letters between him, the President of the Congress, and the Marquis de la Fayette	299
Stewart, Gov. his account of the taking of the island of Dominica	156	Weazel, a King's ship, taken by the French in the West-Indies	207
Sullivan, General, sends an account to General Washington of his having repulsed the English at Rhode-Island	107	West-India planters and merchants, their address and petition to the king	191
sends a letter to the President of the Congress from Tiverton	108	list of English ships of war there	249
return of the killed and wounded under his command at Rhode-Island	111	White-Plains, state of the American army encamped there	*5
Suffolk, Earl, his answer (by the King's order) to the representations of the Dutch Ambassador	102	extract of a letter from the camp near that place	105
Surveyor's report of the state of the navy	232	Woodbridge, extract of a letter from a correspondent there	396
T.			
Tampan, Earl Cornwallis's account of a surprize there	151	Y.	
Tillot, Major, his letter to Major-General Sullivan	317	Yorke, Sir Joseph, his memorial to the Deputies of the States General	283
Touzar, Mons. a pension given to him by Congress	339	presents another memorial	358



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